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Journal of the
Proceedings
of the
Majesty's Secretary
at the
First Session
of the
Eighth General Assembly
Begun held at the Town of
Nashville in Maury the
tenth day of December in the
Year of our Lord, One thousand
Eight Hundred and Thirty-
Two and in the Fifty-
fifth year of
the State.

# Journal Journal
## of the

## Mississippi Territory

Begun held at the Town of
Washington on Monday the 6th
day of December one thousand
Eight Hundred & Seventeen, being the
first Session of the Eighth Gene-
ral Assembly, held under the
Act of Congress entitled "An Act
Supplemental to an Act entitled
"An Act for an amicable settle-
ment of limits, with the State of
Georgia" and "Authorizing the Estab-
lishment of a Government in the Mis-
sissippi Territory" on which day,
being the day to which the first
Session adjourned by the Proclam-
ation of his Excellency the Go-
vernor. The following Members
of the House of Representatives

of Penna, produced their credentials &
took their seats to wit.
From the County of Adams
Jno[illegible] Pellum Judges, Pellum
B. Shultz, Saml. Hunting, John
Taylor, & David Buehler.
From the County of Lycoming.
Mr. Hayclick. J. Boyd.
From the County of Franklin
Mr. Henry. D. Foster.
From the County of Mifflin.
Messrs. Gabriel Moss, Hugh Paxton,
& James McCoskry.
From the County of Franklin
Mr. Bailey. S. Lowry.
From the County of Northumbd.
Messrs Duncan Stewart & Henry Shaw.
From the County of Bucks.
Messrs Edwd. Rankin & Henry Chapman.
From the County of Monroe.
Messrs. Jacob Brodhead & Herman Rudolph.

From the Cnty of Fayette
Mr. Samuel Smith

From the Cnty of Fayette
Mr. James Potts

From the Cnty of Clarke
Mr. Reuben Sefford

From the Cnty of Bracken
Mr. B. Bracken

From the Cnty of Madison
& Jackson Mr. Henry Fortune

From the Cnty of Claiborne
Mr. Daniel Barnett

And a Quorum consisting of a Majority of the whole number of Members elected, being present, the House proceeded to the Choice of a Chairman whereupon Mr. Lucien B. Miller, a Member from Clarke County was duly appointed Chairman, who was accordingly conducted to the Chair.

The House then proceeded to the

for Speaker. Whereupon Rice & Baker
[illegible] were appointed

The House proceeded to Ballot for a
Speaker & upon examining the Ballots
again a majority appeared in favour
of Oliver Burnett Esq. one of the Representa-
tives from Abbeville County — whereupon Mr.
Burnett was conducted to the Chair & im-
mediately he made his acknowledgements to
the House.

The House then adjourned till Tomor-
row morning 10 O'Clock.

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Tuesday. December 7.

The House met pursuant to ad-
journment.

On Motion — Resolved that the House
do now proceed to the Election of a Clerk
for this House. and upon Counting the
Ballots it appeared that Beverly R Gray-
son was duly elected —

On Motion Resolved that the rules
of order decorum and Debate for the
Government of this House of Representatives
adopted

adopted at the last Session of the General Assembly be and they are hereby adopted for the time being as the standing rules for the Government of this House —

The oath required by the aforesaid rules was administered to the Clerk of this House by the Speaker & he proceeded to the discharge of his duties accordingly —

The House proceeded by ballot to the choice of a Door Keeper to this House and upon Counting the ballots it appeared that John Lowry was duly elected —

Ordered that the said John Lowry do give his attendance accordingly —

Ordered that a message be sent to the Council to inform them that a Quorum of this House is assembled and have appointed Daniel Bonnet Esq. one of their number from the County of Chesterfield their Speaker and are ready to proceed to business — and that the Clerk of this House do go with the said message —

On Motion

Resolved that a Committee of Claims be appointed and that the number of the Committee was appointed of Messrs Faulkner, Wetzel, Spalding, Lawrence

On Motion

Resolved that a Committee be appointed a Committee of Messrs. Bassett & Ogle to prepare or Report what may be necessary for the same purpose on the part of this House and that the Clerk of this House do acquaint the Council therewith —

On Motion Resolved that the said Committee consist of two members in addition to the number before named

And a Committee was appointed of Messrs Shields, Taylor, Moore, Stuart & Smith pursuant thereto to said Resolutions —

[illegible] Committee
of Ways and Means consist of five
Members be appointed

and a Committee was appointed
of Messrs Snodgrass, Allen, Pickett
Babb & Smith

On Motion

Resolved that a Committee
of Privileges and Elections to consist
of five members be appointed and a Committee
was appointed of Messrs Balch, Shultz, Berry
Allen, Pottenger,

On motion Resolved that a Committee
of Privileges and Elections to consist
of five members be appointed and a Committee
was appointed of Messrs Taylor, Elliott
Shields, Allen, Gentry, & Chaney —

On motion Resolved that a Committee of Three members be appointed to consist of three members, and a Committee was appointed of Messrs Patton Rankin, & Reynolds —

On motion Ordered that Mr. Rankin have leave of absence from the House of this Session till Friday morning next 11 o'Clock —

Mr Shields gave notice to the House that he should move tomorrow for leave to bring in a bill authorizing the appointment of a Sergeants at Arms —

On motion of Mr Faulkner Resolved that a Committee to consist of Seven members be appointed to inquire and report to this House a Memorial to be addressed to the Congress of the United States on the Claims of Settlers on the public lands, and on the mode and terms of purchasing and paying for the same on the Mississippi Territory

January — [illegible]

On Motion —

Resolved that until otherwise
Ordered, the daily hour to which the
House shall stand adjourned during
the present Session be 11 O'Clock
A.M. —

On motion was made & seconded to adopt
the following Resolution, to wit —

Resolved that there be a Committee
appointed to draft and prepare a memorial
to the Congress of the United States praying
for an admission into the Union as
an independent State —

The House proceed to consider the
said Resolution Whereupon —

On Motion — Ordered that the said
Resolution lie on the table for further
consideration —

On Motion, by Mr. Moore seconded
that the House do come to the
following Resolution to wit —

"Resolved that there be a Committee
appointed by this House to prepare a Statement
to the People of the United States pointing
out the further extention of the right of suffrage
to the people of the Metropolitan District —

The House proceeded to consider the said
Resolution — Whereupon an Motion
was made that the said consideration thereof
be postponed until Saturday next —

A Message from the Council by Mr Hughes
their Secretary — Mr. Speaker I am directed
to inform the House of Representatives that
a Quorum of the Council is met and ready
to proceed to business and have appointed
appointed Mr. Ware a joint Committee with
such Committee as the House of Representatives
may appoint to wait on his Excellency the Governor
and inform him that a Quorum of
the two Houses is met and ready to
receive any Communication he may
think fit to make to them; & then
he withdrew —

An Motion
Resolved that a Committee

be appointed on the part of this House jointly with the Committee appointed on the part of the Council to wait upon the Governor of the Country and inform him that a Quorum of the two Houses is assembled and ready to receive any Communication he may be pleased to make to them

Ordered that a Committee of three be appointed to prepare and report Rules of Order for the Government of this House

Ordered that a Committee be appointed to report Standing Rules, which is adopted

A Message from the Council by Mr Hughes their Secretary — Mr Speaker the Council have appointed a Committee jointly with the Committee appointed by the House of Representatives as a Committee of Accounts

Thus

They have also appointed a
Committee jointly on their part with such
Committee as may be appointed by this House
for that purpose — Ordered — and that the

Ordered that a Committee
of three members be appointed with such
Committee as may be appointed by the Council
to draft Rules and Regulations for the
government of both Houses of the General
Assembly — and a Committee of
Clerks — Ordered — Sundry Messages from
appointed on the part of this House

for attendance
Ordered that a Committee
of nineteen be appointed jointly
with the Committee appointed on the part
of the Council — And a Committee
was appointed of Clerks — Sundry Messages
from the Council —

Ordered that the Clerk of this House
do acquaint the Council therewith —

Mr Taylor from the joint Committee appointed to wait on the Governor of the Territory and inform him that a quorum of the two Houses is assembled & ready to receive any Communication he might think proper to make to them Reported that the Committee had according to order performed that service and that the Governor signified to them that he would make a Communication to both Houses this day at 4 o'clock

An attested Order that a Message be sent to the Council to inform them that the House of Reps is now ready to meet them in the Representative Chamber for the purpose of receiving such Communications as the Governor may think proper to make to them

The Clerk having gone with said Message and being returned, the Council attended and took their seats in the House, the House being assembled in the Rep.s Chamber the Governor came in and addressed them as follows viz

"Gentlemen of the Legislative Council

Council and Gentlemen of the House of Representatives —

The prorogation of the Session of the General Assembly from the day appointed by Law for their meeting to a more advanced period of the winter, I was conscious would be productive of much inconvenience to many of the members and specially to such as reside at a considerable distance from the seat of Government — Impressed, however with the necessity of the measure from the state of our Public concerns, and hopeful that my forbearance in that point of the Country which may then be the scene of Savage devastation, might be useful, I did not hesitate to adopt it, being confident you would cheerfully submit to much greater undeserved privations, when the Public welfare was the Object in View. — Which the unfortunate events, have happened upon the Eastern frontier of our Territory, in consequence of the obstinate of the Creek Nation of Indians are Causes of much regret, they develope to the Legislature the necessity of additional measures for the safety and Protection of our Citizens.

In July last information was received, which indicated a probability, that a portion of the Creek Indians, were in an attitude of War, against their Rulers, would become hostile towards the United States. The contiguity of our Settlements upon the Tombigbee and in the County of Madison to a great portion of the Nation, rendered necessary such Measures of Precaution, as the authority of the Executive would enable him to take; Orders were accordingly issued to the Colonels of the two Regiments in Madison County, to detach four Companies, to be held in readiness to act at the shortest Notice and the respective Commanders East of Pearl River, were directed to have their Regiments in the best condition for actual service that the means within their power would permit, and to furnish such detachments, in aid of the forces in the service of the United States, upon the Eastern frontier, as the commanding officer thereof might require. To the commanders of Regiments in the frontier counties of the Mississippi, and in the Counties of Amite and Marion, orders were given to detach regularly from their commands, detachments

act as Scouts and Spies, and to be prepared in the
th Manner that the cavalry of the forces would a match
, to repel any enemy that might approach. Arms
nd Ammunition were furnished to the extent that these
tribes could be procured, and conveniently transported
very conciliatory measure within my Power was adopted
confirm and retain the friendship of the Cha[illegible]
ndians; and it gives me pleasure to inform you,
hat from their conduct, I entertain no doubt of
he good disposition of the Nation in general
ards the United States.—
When from information the intentions of the hostile
reeks, to commit outrages upon our frontier
ettlements, became more evident, I Ordered five
ompanies of Infantry, and the whole of the
avalry, to be held in readiness to march at the
hortest Notice. These Troops were intended
act with the regular forces, wherever their
id might be required. On the thirtieth of
ugust Fort Mims was attacked and destroyed
y a party of the hostile Creeks, who put to
eath most of the Garrison, and many families
who had fled there for safety, and protection:
his deplorable event, and the causes that led
it are subjects of great regret. So soon
the melancholy intelligence reached
the seat of Government, I ordered the Dragoons
consisting of four Troops, amounting in all

to about two hundred men, under the command of an active and intelligent Officer, to rendevous and proceed to Fort Leavenworth. They marched with the third Regiment of United States Infantry under the Command of Lieutenant Col. Kupsell who had been Ordered to repair to the same post. The arrival of these troops rendered the entire force upon the Eastern frontier efficient and respectable. The commanding General of the District accepted the services of the Cavalry and Ordered them to do duty with the Volunteers in the Service of the United States; and it gives me Satisfaction to inform you, that while they were employed upon the frontier, they rendered to the Country essential services.

In consequence of a representation from the Commanding General, that a further force was necessary, I ordered two five companies of Infantry, and two companies of mounted Rifle-men to rendevous at the most convenient point, and to proceed immediately to the Eastern frontier. The order was promptly obeyed, and these corps are now acting in that Quarter of the Country. It will be evident to the Legislature that it would not be advisable upon this occasion to enter into more particular details of the present State of defence upon the frontier

either as relates to the number and disposition of the troops, or the orders they have received. These may form the subject of future Messages. The Armies that are now acting against the Creek Indians from Georgia from Tennessee and from this Territory will be sufficient to bring them to any terms the United States may think proper to dictate; And altho we have to regret the loss of many Valuable Citizens, Yet ultimally the Creek war will render us secure against future aggresions from that Savage Nation, as only tribes of Southern Indians who have shewn towards us a hostile disposition, or who have been duped by our Artifice, founded upon ignorance and superstition, to commit acts of hostility which must ultimately end in their own distruction. The conduct of the State of Tennessee upon every occasion when our Territory has been menaced by our enemy, entitles that member of the Union, to our peculiar gratitude, for the patriotism evinced by their Statesmen Soldiery and Citizens upon the late occasion of the disasters which happened upon the Western frontier, exhibits a Magnanimety of Character and a National Sensibelity worthy of being emulated by all who justly estimate that pride of Country, so essential to the maintenance of those rights which

the Constitution of the United States was ordained to secure and perpetuate. From their armies now acting against the enemy, we have every thing to expect, that distinguished talents Courage or love of Country, and a laudable desire for fame and honor, can promise. — Experience has shewn that the laws for the Organization of the Militia are in many respects defective. The penalty for refuseing to obey a general Order calling for the whole or any part of an Officer's Command ought to be increased. It is true that instances of disobedience in such cases very rarely occur, but they may happen And in times like the present, nothing should be omitted that wears have a tendency to insure a prompt discharge of military duties. The Commanders of Regiments in addition to the power with which they are now invested of calling out the Militia of their Counties in cases of Sudden invasion or insurrection should be authorised to assemble and prepare them to act whenever there exists grounds to apprehend the occurrence of either of these events, on the approach of an enemy; and on such occasions they should be empowered to transmit by express the information to the Commander in Chief these requisitions

are required in consequence of the great distance that many of the Counties are from the Seat of Government. The Statements of the Auditor of Public Accounts, and of the Treasurer of the Territory, will shew to the Legislature the situation of our fiscal concerns.

You will perceive Gentlemen with satisfaction the benefits that have resulted from the operation of the permanent revenue System. The whole of the Public Debt which was considerable when that System was adopted, has been extinguished, and there is now in the Treasury upwards of Ten thousand Dollars. The present Crisis, however, will call for appropriations, in addition to those intended for the Ordinary Objects of expenditure. I suggest to the Legislature the propriety of conveying a part of the annual revenue to the Purchasing of Arms for the use of the Territory, and of appropriating a sum of money to meet such incidental expences of the Government as may be expected to grow out of the existing State of affairs. In former communications I called the attention of the Legislature to the Judicial System, to the Laws respecting roads and highways, and to the encouragement of Seminaries of learning for the benefit of the rising generation. Whether you may deem it expedient to take into consideration any of these Subjects during the present

Session, or whether you may think it will best
Comport with the Public Interest to confine
your deliberations to matters more immediately
Connected with the protection of our Citizens
is for you to determine.—

Gentlemen of the House
of Representatives,

The period
for which the Legislative Council was appointed
will expire before the next Session of the Legislature
in the ordinary course of business will adjourn
The Ordinance for the Government of the Territory
points out the mode of Creating this branch of
the Legislature, and I suggest to you the
Propriety of acting upon the subject during
the present Session.— Gentlemen of
the Legislative Council and, Gentlemen
of the House of Representatives. The
general success that has attended the arms
of the United States, since the commencement
of the present year, must be a source
of much gratification to all who duly
estimate the preservation of our National
Rights and National Honor. Whatever
differences of Opinion may have existed
as to the Causes that produced the State
of Hostilities with Great Britain, or

as to the Administration of the General Government
in Relation to affairs of Minor Consequence it must
be acknowledged, that the Objects for which we now contend
are vitally connected with our existence as an
Independant Nation, and that those Objects can only
be Obtained by a fortunate termination of the contest
We must look therefore to a just Providence
and the Strength of our own Arms for such a
Peace as a Powerful and free People ought
to accept. In the adoption of all measures
Calculated to afford Safety and Protection to our
fellow Citizens and to advance the welfare
and Prosperity of the Territory I offer to you
My most zealous Co-operation

David Holmes

Town of Washington 7th Decr 1813

The Governor having retired the two
Houses seperated

And the House adjourned until
tomorrow morning 10 O'Clock

Wednesday December 8th

Another member towit John B. Pusey from the County of Watkinsan appeared produced his credentials and took his seat in the House the oath required by law being first administered to him by the governor as

Constitution

Resolved that a Committee to consists of three members be appointed to draft an address in answer to the Governors communication made yesterday to both Houses of the Genl Assy

and a Committee was appointed of Messrs Faulkner, Patton, & Shields

Mr Shields laid before the House the Annual reports of the Auditor of Public accounts and Territorial Treasurer which were read and ordered to be referred to the Committee of Accounts

Mr Smith presented a Petition of Theodore Bridgewell complaining of the undue election of Harry Faulkner returned to serve as a representative in this House from the County of Alabama & Jackson

and praying that he that the Seat of S^d Faulkner may be vacated
he permitted to take his Seat in the place of S^d Faulkner
Ordered that the said Petition be referred to
the Committee of Privileges & Elections —

Ord ettotem of Mr Smith

Resolved that a Committee be
appointed to consist of five members to receive
proposals for the publick printing necessary to be
done for this Territory —

And a Committee was appointed of
Messrs Smith, Hamia, Stuart, elliott, &
Lawrence —

Another member towit Philip Hoggatt returned
to serve in this House from the County of Adams
appeared produced his credentials and took his
seat in the House the oaths required by law
having been administered unto him by the
Governor

Mr. Faulkner laid before the House certain
certificates relative to his election as a member
to this House which were read and
ordered to be referred to the Committee of
Elections —

A Message from the Council by elliott Hayes

Their

their secretary Mr. Speaker the Council have appointed Mr. Mare on their part as a joint Committee with the Committee appointed by this House to prepare & report joint rules for the Govt of both Houses of the General Assembly — and then he withdrew —

A Petition of sundry inhabitants of the County of Mobile signed by Wilson C Kennedy and others praying for certain reasons therein mentioned that the seat of Justice of the County of Mobile may be established in the Town of Mobile was read and ordered to be referred to the Committee of Propositions and grievances —

Also A Petition of Josiah Blakely praying for certain reasons therein mentioned that a Town may be established on his land by the name of Blakely —

Also a Petition in the French Language signed by certain French inhabitants of the County of Mobile praying that such laws as immediately concern them to know may be translated into the French language also praying

that

that the House of Reps holding Courts in the County of Mobile may be established in the Town of Mobile

Also the Petition of Roque Dubreca praying that the Legislature will authorize him to emancipate a certain negro slave by the name of Ellenic — which [illegible] the House was read

On motion

Ordered that the said Petition be respectfully referred to the Committee of Propositions & Grievances —

Two Petitions from a number of the inhabitants of the County of Claiborne praying for a division of the said County presented to the House and read, and Ordered to be referred to a Committee of Messrs Rumsey, Dancy & Patton —

A Petition of I. Lyon praying that a law may be passed authorizing a change of Venue in certain cases — the said Petition was read and ordered to be referred to the Committee of Propositions & Grievances

Mr Hall according to leave given presented a bill authorizing the appointment of Sergeants at Arms which was read and read the first time and ordered to be read the second time to-morrow

A Petition of a number of inhabitants of the eastern part of Hancock County was presented to the House and read praying that the seat of Justice of said County may be established on the Bay of 5th Laws Also praying that the Laws of this Territory may hereafter be printed in the French and English Language —

Ordered that the said Petition be referred to a Committee of Messrs Reuben Shields, Baldwin, Patton, & Hoggatt with leave to report by bill or otherwise

On motion

The House resolved itself into a Committee of the whole House on the communication made yesterday by the Governor to both Houses of the General Assembly and after some time spent therein Mr Speaker resumed the chair and Mr Snodgrass reported that the Committee had accordingly the said Communication under

under consideration and had come to several resolutions thereon which he delivered in at the Clerk's table where the same were read and agreed to by the House as follows,

1st Resolved, That that part of His Excellency's communication on the subject of the Militia Law be referred to a select Committee of five members —

2nd Resolved that so much of the Governors Message as relates to the Judicial System be referred to a Select Committee of five with leave to report by bill or otherwise

3rd Resolved that so much of the Governors Message as relates to Roads and Highways be referred to a Select Committee of five Members —

4th Resolved that so much of the Governors Message as relates to the encouragement of Seminaries of learning be referred to a select Committee of three members —

5th Resolved that so much of the Gov's Message as relates to the purchasing of arms for the use of the Territory

be

be referred to a Select Committee of five members —

The House proceeded to consider the said resolutions and the same being again read were upon the question severally put thereon agreed to by the House —

Messrs. Moore, Haggatt, Stuart, Posey & Poulnin were appointed a Committee pursuant to the first resolution —

Messrs. Taylor, Shultz, Moore Rankin & Smith were appointed a Committee pursuant to the second resolution

Messrs. Stuart Smith, Haggatt, Balch & Greenleaf were appointed a Committee pursuant to the third resolution —

Messrs. Baldwin, McKay & Snodgrass were appointed a Committee pursuant to the fourth resolution —

Messrs. Smith, Poulnin, Shields, Dennis & McKay were appointed a Committee pursuant to the fifth resolution

A Message from the Council by Mr. Keighley their Secretary — Mr. Speaker the Council have passed the following resolution —

"Resolved by the Legislative Council and House of Representatives of the Mississippi Territory in general assembly convened, That the two Houses will meet in the Representatives Chamber this day at 4. O'Clock P.M. & proceed by joint ballot to elect a public printer" — to which resolution they desire the concurrence of this House — and then he withdrew —

On motion

Ordered that the consideration of the said resolution be laid over till this evening —

A Petition of E. Turner and others whose names are thereunto subscribed was presented to the House and read requesting this House to memorialize congress on the subject of public lands which have become subject —

Ordered that the said Petition be referred to the Committee appd on the 7th inst. and to prepare a memorial on the subject of public lands ——

An Motion ordered Mr. Balch be added to the Committee last mentioned —

An Motion ordered that the Clerk of the House inform the Council that this House have appointed a Committee of [illegible] Smith, Hanna, Stuart & Vaughan, and Dawney to receive proposals for the public printing necessary to be done for this Territory, and that said Committee are authorized to act jointly with such Committee as may be appointed by the Council for that purpose —

The House proceeded to consider the the resolution from the Council on the subject of public printing, when

a motion was made to amend the said resolution by striking out the word "Four" & "P.M." and insert in lieu thereof the word "12. o'clock tomorrow" — and on the question thereupon it was

Resolved in the Affirmative

A motion was then made that the House do agree to said resolution as amended and on the question thereupon it passed in the affirmative

Ordered, that the Clerk of this House do acquaint the Council therewith —

On Motion Ordered, That Mr. Safford be added to the Committee on the Judiciary —

On motion

Ordered that Mr. Taulman have leave to bring in a bill for the government of the Town of Mobile

Mr. Taulman accordingly presented the said bill which was received and read the first time — and ordered to be read the second time tomorrow —

On motion Ordered That the Clerk of this House be directed to furnish the necessary stationary for the use of the General Assembly during the present Session

The Bill authorising the appointment of a Sergeant at Arms, was read the second time and ordered to be read to a Committee of the whole House tomorrow —

And the House then adjourned until tomorrow morning 10. o'clock —

Thursday December 9th

A Message from the Council by Mr Hunt their Secretary — Mr Speaker — The Council have agreed to the amendment proposed by this House relative to the public printing — They have also appointed on their part Mr. McCabe a joint Committee with the Committee appointed by this House to receive proposals for the public printing and this be notified —

Mr Patton presented a ~~petition~~ from a number of persons residing on the Checkesawhey river praying that the Legislature will direct the laying out of a certain road therein described —

Ordered that the said Petition be referred to the Committee appointed to take on that part of the Governors message as relates to public Highways —

On Motion Ordered that Mr Posey be added to the Committee of Retrenchment and grievances

On Motion Ordered that Mr Montgomery be added to the Committee on that part of the Governors message as relates to the Militia —

Mr Posey presented a Petition from a number of the inhabitants of Marion County praying for a division of — Ordered the said Petition be referred to the Comtee to whom was referred a Petition to same effect on the 8th instant —

On Motion Ordered that Mr Chaney be added to the Comtee —

On Motion of Mr Shultz
Ordered that the Committee of the whole House be discharged from the consideration of the bill authorizing the appointment of a Sergeant at Arms —

On Motion of Mr Shultz Ordered that the said Bill be postponed indefinately —

The Bill providing for the Government of the Town of Adelaide was read the second time — and Ordered

And On motion of Mr Faulkner Ordered that the said bill be referred to a Committee of Mess^rs Faulkner, Mc Farlane Smith, Taylor, & Posey —

Mr Smith from the joint Committee appointed to receive proposals for the public printing necessary to be done for this Session reported which was read

On motion of Mr Smith Ordered that Mr Smith be appointed a Teller on the part of this House jointly with such Teller as may be appointed on the part of the Council to receive & Count the ballots given in for a public printer —

A Message from the Council by Mr Hughes their Secretary — "Mr. Speaker the Council have appointed Mr. Gilbert Teller on their part jointly with the Teller on the part of this House to receive & count the ballots given in for a public printer — and transmit the returns —

~~An election~~

Mr. Smith laid before the House the following resolution ~~which was~~

"Resolved That the Committee of Ways and Means be instructed to enquire into the expediency of exempting from taxation all Slaves under years of age and over years of age"

The said resolution was read and ordered to lie on the table —

An election of Mr. Shultz

Ordered that a message be sent to the Council to inform them that this House is now ready to meet them in the Representative Chamber for the purpose of electing by ballot a public printer —

The Clerk having gone with the Message and being returned the Council attended and took their seats in the House, when both Houses being assembled in the Representatives Chamber they proceeded to the election of a public printer for the Territory pursuant to the joint resolution of both Houses for that purpose

No

& upon Counting Ballots it appears that Peter Isler was duly elected, & that the two Names supposed

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On Motion of Mr Taylor

Ordered that Mr Baldwin have leave of absence from the Service of this House until monday next 12 Oclock —

Mr Ellmore gave notice to the House that he would move for leave tomorrow to bring in a bill Ammendatory of the Act entitled "An Act concerning the Clerks of Courts" and to reduce into one the several laws regulating Offices by and more particularly to define the same —

On Motion of Mr Smith

Resolved that the Committee of Privileges and Elections have power to send for persons and papers upon the case of the contested election depending before them —

A Motion was made by Mr Smith & seconded that the House do reconsider their vote taken on the resolution last agreed to

And the question thereon being

to pass in the Affirmative

Mr Gaston was then again taken on the House a grievance & resolution

On motion of Mr Hudson

Ordered that the further consideration of the said resolutions be put over until tomorrow —

And the House then adjourned until tomorrow morning ten o'Clock —

## Friday December 10th

Another member to wit Thomas Hinds returned to serve in this House from the County of Jefferson appeared produced his credentials and took his seat in the House the necessary Oath (this) being administered unto him by the Governor according to law —

The petition of Mr Chamberlain laid before the House

The House proceeded to consider the resolution laid before the House on yesterday by Mr Smith in following words — "Resolved that the Committee of Ways and Means be instructed to enquire into the expediency of exempting from taxation all Slaves under 7 years and over 12 years of age" —

and on the question that the House do agree to the same —

Ordered, &c. on the affirmative

On motion of Mr. Chavis

Resolved that the Committee of Ways and means be instructed to enquire into the expediency of repealing so much of the act entitled "an act to raise a revenue" as subjects to the poll tax on all free white males over the age of twenty one and under fifty —

On motion of Mr Lassiter

Resolved that a Committee be appt. to draft and report a Memorial to the Congress of the United States, stating into consideration the situation of the Citizens of this neighborhood bordering and praying that so many of them as have sustained immediate loss on account of savage invasion & devastation be remunerated in Land —

And a Committee was appt of Messrs Lassiter, Smith, Deane, Hunt & Posey —

An election of Atty. Faulkner

Resolved that the Committee of Ways & Means be instructed to enquire into the expediency of making a new classification of land for the purpose of taxation or of adopting a new method of ascertaining the value of land

Mr. Rankin appears & took his seat

Mr. Faulkner from the Committee appointed to draft an address in answer to the Governors communication made to both Houses of the general Assembly reported that the Committee had according to order prepared the same which he delivered in at the Clerks table where the same was read agreed to by the House as follows

To his Excellency David Holmes Governor of the Mississippi Territory

The House of Representatives have received with much Satisfaction the address which You were pleased to make to them at the opening of the present Session of the Legislature. The inconvenance resulting from a prolongation of the period prescribed by law for the meeting of the general Assembly and justly ascribed to the momentous events which have rendered that measure indispensible to a proper regard and attention to the safety and protection of our fellow Citizens

who are exposed to the depredating incursions
of the hostile savages on this Eastern
frontier of our Jurisdiction.

We participate with lively sensibility
the general regret which is felt by
every Philanthropic mind for those
unfortunate victims who were sacrificed
by the inexorable and unrelenting hand
of Savage cruelty and barbarity in the
memorable fall and distruction of Fort
Mims. This disaster has been followed
by the devastation of property and the
depopulation of a beautiful and
flourishing portion of our Eglercon
settlements. To chastise their aggressions
at the call of your Excellency the
Militia flew to Arms, with a zeal and
alacrity highly honorable to themselves
and affording a satisfactory pledge of
the confidence which may be placed
in their readiness at all time, whenever
required, to step forth in the vindication
of the rights the honor and independence
of their Country. The promptitude and
patriotic ardor displayed by your Excellency
in every measure relating to the defence
of the Territory merits our warmest
approbation; and while we cherish towards
others a sentiment of becoming charity
we cannot in justice forbear to express
our clearest conviction, that no part
of the misfortunes which have occurred
since the commencement of hostilities,

with the Creek Indians, which we do deeply deplore ought in candor to be attributed to any deduction of duty or want of energy on the part of your Excellency. Had Tennessee called out have not had the opportunity to render more essential service to their Country is a source of mortification and disappointment, not less felt by those brave men who had taken the field, than by the Community at large. Turning from these unpleasant topics, we dwell with particular delicacy on the success which has attended the arms of our Countrymen, both by sea and land, in the great national Contest which exists between the United States and Great Britain. The laurel of victory must ultimately rest on the brow of the brave who fight the battles of liberty in support of an honest cause against the Tyrant of the Ocean. The despoiler of those legitimate and acknowledged rights which by an Independent Nation we hold sacred and will never surrender We shall greet the return of peace as an Event highly auspicious to the growing prosperity of our beloved Country but we loathe and detest that precarious and humiliating peace, which is the price of base and pusillanimous submission. We wish to the utmost

of our abled manfully maintain the struggle under every hardship and privation until the common Enemy shall reward our toils by affording ample indemnity for the past and security for the future. We offer to Your Excellency our sincere congratulations on the recent glorious victories, which have been atchieved by Major General Jackson and the brave Officers and troops under his Command over the hostile Indians in our immediate neighbourhood. From such evidences of bravery and skill we confidently anticipate that our exposed settlements will very soon rest in peace and security. On all the local and municipal concerns to which our attention has been attracted, we shall at the earliest period practicably bestow that deliberation which their importance demands and we rely implicitly on the cordial Cooperation of Your Excellency in all the measures which shall be adopted during the present Session calculated to promote the General welfare of the Territory.

I)

A motion was made by Mr Stevens and seconded that the House do re-consider their vote taken on the report of the Committee appointed to prepare an address in answer to the Governors message

And on the question being thereon taken

It passed in the affirmative

Motion of Mr Hunt —

Ordered that the said report be referred to a Committee of the whole House tomorrow —

On motion of Mr Rankin

Resolved That a Committee be appointed to wait on his Excellency the Governor to request that he furnish the Legislature with such information as he may from time to time have received relative to indian hostilities on our frontiers, together with the provisions he may have made for its defence as well as with such parts of his correspondence with the Generals commanding the South Western departments as may not be improper to be communicated to the General Assembly —

And

And a Committee was appointed of
Messrs. Rankin, Hardy, & Patton —

On motion of Mr. Finnegan

Resolved that the Secretary of the
Territory be requested to lay before
this House a copy of the Digest of the
Laws of this Territory and also the Laws that
have passed since said digest was
adopted together with the journals of
the different sessions of the Legislature
and the Laws of Congress that have
passed relative to the said Territory

On motion

Ordered that Mr. Hardy be
added to the Committee appointed on
that part of the Governors message that
relates to the Militia —

On Motion

Ordered that Mr. Hamer
be added to the Committee appointed
on that part of the Governors Message
as relates to Roads & highways —

And the House then Adjourned until
tomorrow morning 10 Clock

Saturday December 4th

Another member Ralph Regan returned to serve in this House in a number from the County of Clinton appeared produced his credentials and took his seat in the House the necessary oaths being administered unto him by the Governor according Law —

Mr Smith laid before the the House the following resolution — towit

Resolved That the Committee of Knowledge and elections be instructed to enquire into the expediency of bringing in a bill prescribing the necessary proceedings of the Board concerned in relation to contested Elections of members returned to serve in this House and the manner of taking testimony in such cases —

The said resolution was read Ordered to lie on the table —

Mr Chamy presented a Petition from Freeman Ford Gray praying the Legislature to pass a Law changing his name to Freeman Ford —

Ordered that said petition be referred to the Committee of Propositions & Grievances —

W. Moore according to leave given presented a bill Summary of the Act entitled "An Act regulating Clerks of C. C. and to reduce into one the several Laws regulating Officers &c & more particularly to enforce the same" which was received and read the first time and ordered to be read the second time on Monday next

W Moore according to leave given presents a bill for the relief of the tax Collector of Madison County which was received and read the first time and ordered to be read a second time on Monday next —

Mr Taylor laid before the House the Petition of Joseph Foreman administrator of the estate of William Gordon Foreman praying that the said Administrator may be authorized by law to sell the real estate of said deceased on a credit of three annual instalments

Ordered that said Petition be referred to the Committee of Propositions and Grievances —

An election Ordered that Mr Rankin be added to the Committee last mentioned —

Mr [illegible] from the Committee to whom was referred the Petition praying for a division of Allegan County presented according to Order a bill thereupon which was received and read the first time and Ordered to be read the second time on monday next —

Mr Rankin from the Committee appd to wait on the Governor to request certain information upon certain points embraced in a resolution of this House of yesterday — Reported that the Committee had according to Order performed that service and that the Governor signified to them that he would comply therewith on monday next —

Mr Fuller gave notice to the House that he would move on monday next for leave to bring in a bill for the relief of the tax collectors of the County of Washtenaw Clark & Baldwin —

Mr. Tarleton gave notice to the House that he would move on morrow for leave to bring in a bill to provide a mode ~~of~~ relating to the Courts of this Territory & recommended their respective Civil Officers —

A Message from the Council by Mr. Hughes their Secretary — Mr. Speaker The Council have given leave to bring in a bill to reduce into One the several Acts concerning the militia of the Mississippi Territory and then withdrew —

And the House then adjourned until monday next 10 O'Clock —

An Motion of Mr. Tarleton Resolved that the Committee of Ways & Means be instructed to enquire into the expediency of Repealing the laws of the Mississippi Territory and to reduce into one Volumn the same —

And the House then adjourned until monday next 10 O'Clock —

Monday December 13th

Mr Baker appeared and took his Seat

On motion

Ordered that Mr Jackmin have Leave of absence from the service of this House until three O Clock this afternoon

Mr McCartney presented an account of John H Haynes Gaoler of Madison County which was read and Ordered to be referred to the Committee of Claims

A Message in writing was received from the Governor of the Territory by the Dangerfield his private Secretary — as follows —

"Gentlemen of the House of Representatives

I have given to your resolution of the 10th instant that deliberate consideration which my respect for the most numerous branch of the Legislature and the importance of the question it involves required, and I regret that the result has produced in my mind a conviction that under all the circumstances attendant upon and connected with the request it would not comport with my official duty to

comply

comply with the wishes of the House on the occasion —

Whatever measures I may deem advisable to recommend to the Legislature in the course of the session in addition to those already presented to their consideration will be accompanied by all the information in my possession calculated to elucidate the subjects to which their attention may be asked, and that can consistently with my official obligations, be laid before them with the same restrictions & information as required by the Legislature upon any subject free from the embarrassments which at compliance with your resolutions of the 10th instant in my opinion would produce —

13th Dec. 1813 — David Holmes

Mr. Snodgrass from the Committee appointed to draft and report Rules for conducting business in this House, made a report which was read — Ordered to lie on the table

The House according to the Order of the day resolved itself into a Committee of the whole House on the report of the

Committee appointed to prepare an answer to the Governors Speech made to the two Houses of the General Assembly at the opening of the present Session and after some time spent therein the Speaker resumed the chair and Mr Lovegrove reported that the Committee had according to order had the said report under consideration and had directed him to report the same to the House without amendment a address in answer to the Governors speech as contained in said report, to the House without amendment

On motion of Mr Lovegrove and seconded the House proceeded to consider the said report address

When a motion was made by Mr Posey and seconded that the House do come to the following resolution Viz Resolved that a Committee be appointed to wait on the Executive for the purpose of requesting him to communicate to the House of Representatives under an injunction of secrecy such information as he may from time to time have received relative to Indian

Hostilities

hostilities on our Eastern Frontier & gett
with the Provisions he may have made
for its defence & communicate such p
of his correspondence with the Comm
commanding the Fourth Military D
And also under a similar injunction
Secrecy, information relative to the
which led to the dismissal of the
Mississippi Dragoons under the Com
mand of Major Chaney &c. &c.

A motion was then made by Mr P
and seconded to postpone the consider
tion of the address of this House in answer
to the Governors Speech & the answer to the
Governors speech until tomorrow

And on the question thereupon

It was resolved in the affirmative

The question on Mr Posey's resolution
was necessary as before stated was then
again read by the Clerk, and after
arising thereon

The House adjourned until 3 Oclock
this afternoon

3 o'Clock P.M. Monday Dec. 13th

The House resumed the consideration of the unfinished business of this morning and the question depending at the time of the adjournment that the resolution proposed by Mr. Posey requesting the Governor to communicate to this House confidentially certain information relative to Indian hostility, be agreed to by the House? being again stated

And the question being taken thereon

Yeas 3
Nays 16

It was determined in the negative

The yeas and nays being called for by Mr. Posey —

Those who voted in the affirmative are,

Messrs. Posey — M. Saffold
Rankin

Those who voted in the negative are

Messrs. Balch — Messrs. McCarty
Chamy — Patton
Dawns — Runnels
Hanna — Regan
Hinds — Shields
Moore — Snodgrass
Montgomery — Stuart
McKay — Taylor

A Message from the Council by their Secretary — Mr Speaker — The Council have agreed to the Report of the joint Committee of both Houses appointed to draft joint rules for the Government of the Houses and have adopted the same and then he withdrew —

A motion was made by Mr Allocco and seconded that the House do reconsider their vote taken on the motion to postpone the consideration of the report of the Committee of the whole House on the address in answer to the Governors speech until tomorrow

And the question thereon being taken

It was resolved in the affirmative

The House then proceded to consider the said report of the address at the Clerks table

When a motion was made by Mr Dodge to amend the said address by striking out so much thereof as is contained in the third paragraph

A motion was made by Mr Suydam seconded to amend the same as follows

by striking out the words "clearest conviction" in the 44th line of said address and to insert in the lieu thereof the word "belief"—

Whereupon Mr. Casey withdrew his s^d motion—

The question then recurred upon agreeing to the amendment proposed to the said address by Mr. Saffold as above stated, which said amendment was then modified by Mr. Rankin with the consent of the mover to read in the following words viz^t— "belief from the communication made to this House by his Excellency "although there are no documents in our possession on which to found that belief"—

A division of the question being called for by Mr. Elmore on the said amendment and the same being seconded

The question was taken that the House do agree to so much of said amendment as proposes to strike out the words before recited

And resolved in the affirmative.

The question was then taken on agreeing to inserting the words proposed in said Amt

& determined in the negative;

A motion was made by Mr Moore & seconded to insert the word "belief" in lieu of words stricken out of said address

And the question being taken thereon

It was resolved in the affirmative

And then the question was taken that the House do agree to the whole of said address as amended

And resolved in the affirmative

On motion

Ordered That Messrs. Taulman Patton & Shuldy be a Committee to wait on the Governor and present the said address in answer to his Speech made to both Houses of the General Assembly at the Commencement of the present Session —

Mr Moore according to leave given presented a bill authorizing Josiah Blakely to lay out a Town on the East side of Mobile Bay which was received and read the first time and ordered to be read the second time tomorrow —

And the House then adjourned until tomorrow morning 10 O'Clock —

## Tuesday December 14th

Mr Faulkner appeared and took his seat

On a motion made by Mr. Faulkner and seconded that the House do come to the following resolution viz't —

Whereas in the present precarious situation of the Territory it is highly important that it should be understood to what extent any authority therein of calling out the Militia on the part of the united States in order that such legislative provisions may be ~~necessary~~ made as will supply defects and provide the means of bringing them into force under the authority of the aforesaid Territory therefore — Resolved that be a Committee to wait on the Governor and to request that he would lay before the House such a statement of facts that have taken place and difficulties that have accrued in the employment of the Militia as well as such parts of his correspondence with the General now or heretofore commanding the South western di=
=vision

-dision of the Armies of the U. S. as in his opinion can properly be ~~commanded~~ and as may more clearly point out to the Legislature what provisions will hereafter be necessary to be made on their part for the protection of the Territory —

The said resolution was read and Ordered to lie on the table —

On ettation of Mr Shultes —

Ordered That Mr Hunt have leave of absence from the service of this House for to day —

The Bill for dividing Allegheny County and forming two new Counties, was read the second time and Ordered to be referred to a Committee of the whole House to morrow —

Mr Taylor from the Committee of Privileges and Elections to whom was referred on the eighth instant the Petition of Theodore Bruffelville contesting the election of Harry Faulkner, made a report which was read and ordered to be referred to a Committee of the whole House tomorrow

Mr Rhodes from the Committee appointed last to draft and report such rules for the government of the House of Assembly, made a report which was read and the same together with the report of the Committee appointed to draft Rules for the government of this House ordered to be referred to the Committee of the whole House to day —

On motion

Ordered that the Committee appointed to present to the Governor the address of this House in answer to His Speech have now leave to be absent for that purpose —

On motion of Mr Snodgrass

Resolved that the Clerk of this House be authorized to contract for three small tables for the use of the House —

Mr Rankin presented a Petition from the Members and subscribers to the Presbyterian Church on the Waters of Conicte & Beaver Creek praying an act of incorporation

The said Petition was read and Ordered to be referred to a Committee of Messrs Rankin Hanna & Stuart —

Mr. Rankin also presented a Petition of M. Faul, Assistant of the Asst of Auditor of Public Accounts praying that on the 1st of July last he transmitted an account to the Auditor of Public Accounts for services performed by him as Assistant for one year, to the Auditor of Public Accounts who refused to allow the same — & praying such relief as may be agreeable and just — The said Petition was read and ordered to be referred to the Committee of Claims —

Mr Moore presented a Petition of Peter Isler printer of the laws of the Territory praying that his account for printing five copies of the Acts of the Genl Assembly for each of the Members thereof agreeably to the Act entitled "An Act to provide for the printing of the laws, journals & Bills of the general Assembly" may be taken into consideration and allowed —

The said Petition was read and together with the account accompanying the same Ordered to be referred to the Committee of Accounts

[redacted] Page from the Council by Mr. Hughes Secretary — Mr. Speaker The Council have given leave to bring in a bill to authorize the admrs of Samuel Bridges dec'd to convey a certain tract of land therein named — and the same be withdrawn

On Motion

Ordered That Mr. Ragan be added to the Committee appointed on that part of the Governors Speech which relates to the Militia —

Mr. Ragan presented the Petition of Gabriel Moore, James McCartney and Hugh McKay Members of this House from the County of Madison praying that they may be allowed their per diems for 35 days during the time they attended previous to the sitting of the present general Assembly, they not having had notice of the prorogation thereof by the Governor — the said Petition was ordered to be referred to the committee of Propositions & Grievances —

Mr Babb from the Committee of Propositions and Grievances to whom was referred the Petition of Freeman Ford Graves reported

Reported a bill thereupon which was received and read the first time and Ordered to be read the second time tomorrow

On motion of Mr Ragan

Resolved, that this House will on Wednesday next 22nd instant proceed by ballot to nominate two persons to the president of the United States, one of whom to be commissioned as the Legislative Council of this Territory —

On motion of Mr Smith it seconded The House proceeded to consider the resolutions submitted by him on the eleventh instant, When,

A motion was made by Mr Rankin to amend the said resolution by adding thereto the words and report by bill or otherwise

And on the question thereon it was resolved in the affirmative

A motion was then made by Mr Smith & seconded that the House agree to the whole of s^d resolution as amended

And on the question thereon

It was resolved in the affirmative

The Bill authorizing Josiah Blakely to lay out a Lane on the east side of Absecon Bay was read the second time

A motion was made by Mr Rankin to amend the said Bill by striking out the words "for a Lane on said land" and the word future in the second section of said bill

And on the question thereupon

It was resolved in the affirmative

On motion

Ordered that the said bill with the ammendments be engrossed and read the third time tomorrow

On motion of Mr. McVay it seconded the House proceeded to consider the resolution submitted by him on the 2d instant,—

When a motion was made by Mr. Faubrin and seconded, to amend the said resolution by striking out the words "the" after the word "praying" in the 4th line of said resolution and to insert in lieu thereof the following words to wit "that in case it be ~~[illegible]~~ should not be deemed expedient

expedient by congress to extend the Territory immediately into the ~~[illegible]~~ may be a"

And on the question taken thereon
It was resolved in the affirmative { yeas
nays

The yeas and nays being called for by Mr McCartney —

Those who voted in the affirmative are —

| | |
|---|---|
| Messrs Baldwin | Messrs Patton |
| Chaney | Posey |
| Hanna | Rankin |
| Moore | Seffold |
| Montgomery | Stuart |
| McKay | Faulkner |
| McCartney | |

Those who voted in the negative

| | |
|---|---|
| Messrs Balch | Messrs Snodgrass |
| Dawns | Rumsey |
| Greenleaf | Regan |
| Sheldas | Taylor |

And then the question was taken that the House do agree to the whole of said resolution as amended

And resolved in the affirmative { yeas
nays

[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

| | |
|---|---|
| [illegible] | [illegible] |
| Haley | Penn |
| Downs | Hamlin |
| Grinnell | Pomeroy |
| Hamlin | Jaffold |
| Moore | Reed |
| Montgomery | Scofield |
| McKay | Stuart |
| McCartney | Jackson |

Those who voted in the negative are

Messrs Balch Taylor

Regan

Messrs McKay, Jackson & Taylor were appointed a Committee pursuant to said Resolution —

And the House then adjourned until Eight this afternoon —

3. O'Clock P.M. Tuesday Dec^r 14

The House according to the Order of the day resolved itself into a Committee of the whole House on the report of the Committee appointed to prepare & report Rules

reports for the government of the House of
which Committee [redacted] reported [redacted]
of the [redacted] [redacted]
and [redacted] the engrossment
of the Bill House of the General Assembly
and after some time spent therein Mr
Speaker resumed the chair & Mr Smith
reported that the Committee had ac-
cordingly to order the said reports under
consideration and had made some pro-
gress therein and had directed him to
ask for leave to sit again

An Motion of Mr Claire

Resolved that the Report of the
Committee of the whole House be received

An Motion of Mr. Kennedy &c

Resolved that the said Report be
agreed to by the House

And the House then adjourned
until tomorrow morning 10 O'Clock

Wednesday December 15th

[redacted] presented a Petition of Hugh Connelly Clerk of Watkinson County praying for certain reasons therein mentioned that he may be remunerated for the amount of bonds he was from the payment of certain fines which he has become liable to pay as Sheriff as aforesaid by law.

The said Petition was read and Ordered to be referred to the Committee of Claims

Mr Faulkner presented an account purporting to be the account of William Patton Sheriff of Wayne County, which was read

Mr Hinds appeared and took his seat

The House again resolved itself into a Committee of the whole House on the report of the Committee appointed to prepare and report rules for the Government of this House to which Committee is also referred the report of the joint Committee appointed to prepare joint rules for the government of both Houses of the general Assembly and after some time spent therein Mr. Speaker resumed the Chair

chair and all shall report that the Committee had according to Order reported again under consideration agreed to the rules and Order of proceeding as contained therein with several amendments to the rules and Orders of Government of this House and that leave to report the joint rules for the government of the two Houses without amendment, all of which said amendments be delivered in at the Clerks table where the same were again read and severally concurred in by House

An Motion of Mr Shields

Resolved that this House do agree to and adopt the said rules as amended by the Committee of the whole House as the Rules and Orders of proceeding to be observed in this House, and also the joint rules and orders for the government of the two Houses as standing rules —

Standing Rules and Orders for

Conducting

[redacted] during Business in the House & Before
[redacted] shall Speak, Every Member as
[redacted] to the first
Labours of the Eighth Session of the

Touching the duty of the Speaker

1st He shall take the Chair precisely at the Hour to which the House shall have adjourned on the preceding day shall immediately call the Members to Order and on the appearance of a Quorum shall cause the Journal of the preceding to be read and

2nd He shall preserve decorum and Order; may speak to points of Order, in preference to other Members, rising from his Seat for that purpose, and shall decide Questions of Order, subject to an appeal to the House by any two Members. On which appeal no Member shall speak more than once, unless by leave of the House. He shall not put a question but may state it fully

3d Questions shall be distinctly put in this form "Is" "as many as are of opinion that (as the question may be) say Aye, and after the affirmative is expressed, as many as are of a contrary opinion say No."

if the Speaker doubts or a division be called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative. —

4th The Speaker shall have a casting vote in the Hall. He shall have the right to name substitutes to perform the duties of the Chair, but such substitutes shall not extend beyond an adjournment. —

5th All Committees shall be appointed by the Speaker unless otherwise specially directed by the House in which case they shall be appointed by ballot, a plurality of votes in the appointments of Committees shall prevail; and on motion of any member and seconded, one or more Members may be added to any Committee in manner aforesaid. —

6th In all other cases of ballot, the House shall have for Committees a majority of the votes given shall be necessary to an Election; and when there shall not be such a majority on the first ballot, the ballot shall be repeated until a majority be obtained. —

10th In all cases of ballot by the House the [redacted] shall vote; in other cases he shall not vote unless the House be equally divided or unless his vote if given to the minority will make the division equal, and in case of such equal division the question shall be lost.

11th All acts addresses and joint Resolutions shall be signed by the Speaker; and all warrants or subpoenas issued by order of the House shall be under his hand and seal attested by the Clerk

12th In cases any disturbance or disorderly conduct in the Lobby, the Speaker or Chairman of the Committee of the whole House shall have power to order the same to be cleared.

## Order of business of the day.

13th The Speaker shall, at or near the hour appointed, or near the Speaker shall ask if there are any petitions to be presented.

14th The petitions having been presented and disposed of, reports from the standing and other from the select committees shall be called for and disposed of. The above business shall be done at no other part of the day except by permission of the House

# Of Decorum and Debate

12th When any Member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to Mr Speaker and shall confine himself to the question under debate, and avoid personality.

13th If any member in speaking, or otherwise transgress the rules of the House, the Speaker shall or any member may call to Order; in which case the member so called to order, shall immediately sit down, unless permitted to explain, and the House shall if appealed to, decide on the case but without debate; if there be no appeal, the decision of the Chair shall be submitted to, if the decision be in favour of the member called to Order he shall be at liberty to proceed, if otherwise and the case requires it, he shall be liable to the censure of the House

14th When two or more members happen to rise at once, the Speaker shall name the member who is first to speak.

15th No member shall speak more than twice to the same Question, without leave of the House, nor more than once

until every Member Choosing to speak shall
have spoken [illegible]

6th — [illegible] any Question
or [illegible] the House, none shall Talk of
[illegible] the Hand; Nor is [illegible] interrupted
[illegible] Member is speaking, or all Private
discourse, Nor when a Member is speaking
shall pass between him and the Chair

7th — No Member shall vote on any Question
in the event of which he is immediately and
particularly interested, [illegible] any case where
he was not present when the Question was put

8th — Every Member when he is in the House
when the Question is put, shall give his vote
unless the House for special reasons excuse
him. —

9th — When a Motion is made and seconded
it shall be stated by the Speaker or being
in writing shall be handed to the Chair
and read aloud by the Clerk before debated
Every Motion shall be reduced to writing, if
the Speaker or any Member desire it —

10th — After a motion is stated by the Speaker
or read by the Clerk it shall be deemed to be
in the possession of the House, but may be
withdrawn at any time before a decision
or amendment. —

21st When a question is under debate no motion shall be received, but to adjourn, to lie on the table, for the previous question, to postpone indefinitely, postpone to a day certain, to commit or amend; which several motions shall have precedence in the order they have arranged.

22nd A motion to adjourn shall be always in order and shall be decided without debate.

23rd The previous question shall be in this form "shall the main question be now put"? It shall only be admitted when demanded by a majority of the members present, and until it is decided shall preclude all amendment and further debate of the main question. On the previous question there shall be no debate.

24th When a question is postponed indefinitely the same shall not be acted on again during the Session.

5th Any Member may call for the division of a question when the sense will admit of it

6th Motions & Reports may be committed at the pleasure of the House.

7th No motion or proposition shall be withdrawn under Color of amendment, or a substitute for the Motion or Proposition under debate.

8th When a Motion has been once made & Carried in the affirmative or negative it shall be in order for any Member of the Majority to move for the reconsideration thereof on the same, or the succeeding day in case the Paper acted on remains so long in the possession of the House.

9th When the reading of a paper is called for and the same is objected to by any Member, it shall be determined by a vote of the House.

10th The unfinished business in which the House was engaged at the last preceding Adjournment shall have the preference in the Orders of the day, and no Motion or any other business shall be received

without special leave of the House until the former is disposed of.

31st Every Order Resolution or Vote to which the concurrence of the Council shall be necessary, shall be read to the House and pass on the 3rd day preceding that in which the same shall be moved, unless the House shall otherwise especially allow.

32nd Petitions memorials and other papers addressed to the House, shall be presented by the Speaker, or by a Member in his place, a brief statement of the contents thereof shall verbally be made by the introducer and shall not be debated or decided on the day of their being first read, unless where the House shall direct otherwise; but shall lie on the Table to be taken up in the Order they were read.

33rd Any five members including the Speaker if there be one, shall be authorised to compel the attendance of absent members.

4th Upon calls of the House, or in taking the yeas and Nays on any question, the names of the members shall be called alphabetically.

5th Any member may excuse himself from serving on any Committee at the time of his appointment if he is then a member of two other committees.

6th No member shall absent himself from the service of the House, unless he have leave, or be sick and unable to attend.

7th Upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees without leave noted. One hour after which, the names of the absentees shall again be called over, and those for whom no excuse or insufficient excuses are made, may by order of those present if five in number, be taken into custody as they appear, or may be sent for and taken into custody wheresoever to be found, by Special Messengers to be appointed for that purpose.

8th When a member shall be discharged from custody and admitted to his seat the House shall determine whether such discharge shall be with or without paying fees, and in like manner

Whether a delinquent member, taken into Custody by a special Messenger, shall or shall not be liable to defray the expences of such special Messenger. —

39th Whenever a Sargeant at Arms may be appointed, he shall hold his office during the pleasure of the House, whose duty it shall be to attend the House during its sitting; to execute the commands of the House, from time to time together with all such process issued by Authority thereof, as shall be directed to him by the Speaker. —

40th The fees of the Sargeant at Arms, shall be for every arrest, the sum of One Dollar, for each days Custody and Releasement, One Dollar, and for travelling expences for himself or a special Messenger, going and returning ten cents per mile. —

41st Seven standing Committees shall be appointed at the commencement of each Session Viz.

A Committee of Elections
A Committee of ways & Means
A Committee of Claims
A Committee of revisal and unfinished Business
A Committee of Accounts
A Committee of Propositions and Grievances

} To consist of five members each. —

& A Committee, on enrolled Bills to consist of three members. —

2nd It shall be the duty of the said Committee of Elections to examine and reports upon the certificates of Election or other Credentials of the members returned to serve in this House, and to take into their consideration all such Petitions and other matters, touching Elections and Returns, as shall or may be presented or coming in Question and be refered to them by the House. —

3rd No Committee shall set during the sitting of the House without special leave. —

4th The Clerk of the House shall take an Oath to be administered by the Speaker for the true and faithful discharge of the duties of his office to the best of his Knowledge and Abilities, and shall be deemed to continue in office, until another be appointed; It shall be his duty to keep and preserve all records and Papers introduced and submitted to the consideration of the House; to furnish such Papers as may be committed, with the names of the members that compose such committee, to the Chairman thereof, and in all things to perform his Duty as Clerk of this House under the direction of the Speaker. —

5th All questions relating to the priority of business to be acted on, shall be decided on without Debate. —

## Of Bills

46th Every Bill shall be introduced by Motion for leave, or by an Order of the House, or Report of a Committee, and in either case the a committee to prepare the same, shall be appointed. In cases of a General Nature One days notice at least, shall be given of the Motion to bring in a Bill; and every such Motion may be committed.—

47th Every Bill shall receive three several Readings in the House previous to its Passage; and all Bills shall be dispatched in Order as they were introduced, unless where the House shall direct otherwise; but no Bill shall be twice read on the same day without Special Order of the House.—

48th The first reading of a Bill shall be for information, and if opposition be made to it; the question shall be "Shall this Bill be rejected"? If no opposition be made, or if the question to reject be negatived, the Bill shall go to a second Reading without a question.—

49th Upon the second reading of a Bill, the Speaker shall state it for Commitment or Engrossment; and if committed, the question shall be whether to a Select or Standing Committee

Or to a committee of the whole House: If to a Committee of the whole House, the House shall determine on what day. If the Bill be ordered to be engrossed, the House shall appoint the day when it shall be read a third time.

4th After a commitment and reports thereof to the House, or at any time before its passage a Bill may be recommitted.

5th All Bills ordered to be engrossed shall be executed in a fair round hand.

6th When a Bill shall pass, it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

## Of Committees of the whole House

1st In forming a Committee of the whole House the Speaker shall leave his Chair, and a Chairman to preside in Committee shall be appointed by the Speaker.

4th Upon Bills committed to a committee of the whole House, the Bill shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble last to be considered, the body of the Bill shall not be defaced or interlined; but all Amendments noting the page and Line shall be duly entered by the Clerk on a seperate paper, as the same shall be agreed to by the Committee, and so reported to the House

after report the Bill shall again be subject to be debated & amended by Clauses & a question to engross it be put. And

55th The Order under which any original Motion is Committed shall be interpolated with the Motion and so separated.

56th All amendments made to a report Committed to a Committee of the whole House, shall be voted and reported as in the case of Bills.

57th All questions whether in committee or in the House, shall be propounded in the Order in which they were moved, except that in filling up blanks the largest sum and longest time shall be first put.

58. No motion or proposition for a tax or charge upon the people, shall be discussed the day on which it is made or offered, and every such proposition shall receive its first discussion in a Committee of the whole House.

59th No sum or quantum of tax or duty voted by a Committee of the whole House shall be increased in the House until the motion or proposition for such increase shall be first discussed and voted in Committee of the whole House, and so in respect to the time of its continuance

9th All proceedings touching appropriations of money shall be first moved in a Committee of the whole House

1st The Rules of Parliament in the House shall be observed in a Committee of the whole House, so far as they may be applicable, except the rule limiting the time of speaking: but no member shall speak twice to any Question until every member intending to speak shall have spoken.

2nd No standing rule or order of the House shall be rescinded or changed without one days notice being given of the Motion therefor.

3rd It shall be in order for the Committee on Enrolled Bills to report at any time.

4th No Bill shall be amended on its passage unless by a rider.

## Joint Rules and Orders for the Government of the two Houses.

1st In every case of an Amendment of a Bill agreed to in one House and disagreed to in the other, if either House shall request a Conference and appoint a Committee for that purpose, the other House shall also appoint a Committee to confer. Such committees shall meet at a convenient hour; Choose a Chairman state to each other the reasons of their respective Houses for, and against the amendments, & confer freely thereon.

2nd When a Message shall be sent from the Council to the House of Representatives, or at the door of the House by the [illegible] and shall be respectfully communicated to the Chair by the person by whom it may be sent and a copy thereof deposited on the Clerks Table. The same Ceremonies shall be observed when a Message shall be sent by the House of Representatives to the Council. —

3rd Messages shall be sent by such Persons as a Sense of Propriety in each House may determine to be Proper. —

4th While Bills are on their Passage between the two Houses they shall be on Paper, and under the Signature of the Secretary or Clerk of each House respectively. —

5th After a Bill shall have passed both Houses, it shall be duly enrolled, by the Clerk of the House of Representatives or the Secretary of the Council as the Bill may have Originated, in the one or the other House, before it shall be presented to the Governor. —

6th When Bills are enrolled they shall be examined by a joint Committee of three from the Council and three from the House

Representatives, to be a Standing Committee for
[illegible] who shall carefully Inspect the Enrolled
[illegible] and Correct any Error that may be discovered
in the Enrolment of Bills made respectively to
[illegible] respective Houses.

5th After examination such Bill shall
be Signed in the respective Houses, first by
the Speaker of the House of Representatives
then by the President of the Council.

6th After a Bill shall have been Signed
in each House it shall be presented by
the said Committee to the Governor for
his approbation it being first indorsed
on the Bill certifying in which House
the same Originated which indorsement shall
be signed by the Secretary or Clerk as the
case may be.

7th All orders Resolutions and Votes which
are to be Presented to the Governor for his
approbation shall also in the same manner
be previously enrolled examined and signed
and shall be presented by the same
Manner and by the same Committee
as Provided in case of Bills.

8th When business requires the presence of
both Councils in the Representative Chamber
and Quorum being given thereof they

Shall

be preceded by the Sargeant at Arms who shall clear the way for them with the Mace [illegible] from [illegible] and be preceded [illegible] on the right of the Speaker

11th That the following shall be the Style of the Laws "Be it enacted by the Legislative Council & House of Representatives of the Territory of Wisconsin in General Assembly Convened, and all Bills & Resolutions after the first Shall begin with the words aforesaid and be it further enacted

12th When leave shall be given in either House to bring in a Bill information thereof stating the Style of the Bill shall be communicated by a Message to the other House.

13th When Bills passed in one House and sent to the other, are Grounded on Special facts requiring Proof, either House may by Message require of the other the evidence or documents upon which said Bills are grounded which shall be immediately communicated.

On Motion of Mr Moore

Resolved that one hundred copies of the Rules and Orders for conducting business in this House, also one

hundred copies of the joint Rules for the Government
of the Council be printed for the use of the
members of the House and the Council
then adjourned until 3 o'clock P.M. — State printer

at 3 o'clock P.M. Wednesday Dec 13th

In motion of Mr. Montgomery seconded that
the House do come to the following resolution to wit
Resolved that the Governor of this Territory
be requested to cause the Adjutant and
Inspector of the Militia to lay before this
House at as early a period as possible the number
of Regiments of Militia in each County
and the number of Officers non commissioned
Officers and Privates composing each of those
Regiments together with the quantity and
quality of the Arms Military accoutrements
and ammunition belonging to the same. —

The said Resolution was read and ordered
to lie on the Table. —

The Bill to change the name of Freeman
and Graves was read the second time and
ordered to be engrossed and read the third
time tomorrow. —

On Motion of Mr. Greenleaf
Resolved that a committee be appointed
to enquire whether any and if any what

alterations and amendments are necessary
to be made in the Laws relating
for the disposal of the Public Lands

And a Committee was appointed of
Messrs Greenleaf, Thornton and Lowrie
pursuant to said Resolution.

Mr. Lowrie from the Committee appointed
on the 6th instant to prepare and report
a Memorial to be addressed to the
Congress of the United States on the
Claims to settlers on the Public Lands
and on the mode and time of paying
for the same in this Territory; Reported
that the Committee had according to
Order prepared the same, which he
delivered in at the Clerks Table where
the same was read —

On Motion of Mr Taylor
Ordered that the Consideration of the
said Memorial be postponed until
tomorrow —

An Engrossed Bill authorizing
Josiah Blakeley to lay out a Town
on the East side of Mobile Bay, was
read the third time — Resolved

that the said Bill be postponed [illegible] to be
[illegible] Ordered that the Clerk do carry the Bills
to the Council & desire them concurrence.

On Motion of Mr Moore that the
House do come to the following Resolution
Viz, Resolved that the Auditor of
Public Accounts be required to lay
before this House an abstract of all
outstanding Debts due this Territory by
whom and at what time due, and if any
what Steps have been taken to recover
them — The said Resolution was
read, and on Motion of Mr. Regan
Ordered that the Consideration thereof
be [illegible] Over till tomorrow —

The Bill for the relief of the late
Collector of Madison County, was read
the second time and ordered to be referred
to a Committee of the whole House
tomorrow —

Mr Balch presents the Petition
of Solomon Whitley praying for
certain reasons therein mentioned

that the Imposition the Penalties of certain Provisions as declared by the Petition of Daniel Island and other Inhabitants praying Relief against Inundations from Salt Waters

The said Petition was read, and together with the Documents accompanying the same ordered to be referred to the Committee of Propositions & Grievances

And the House then adjourned until tomorrow Morning 10 O'Clock

Thursday December 16th

The House according to the order of the day resolved itself into a Committee of the whole House and the Bill to divide Marion County and Horry into two Counties and after some time spent therein Mr Speaker resumed the Chair and Mr Regan reported that the Committee had according to Order had the said Bill under consideration and had made sundry Amendments thereto which he delivered in at the Clerks Table where the same were severally read and concurred in by the House

A Petition was made by Mr Rantin to further to amend the said Bill by striking out

put the word permanent in the 4th Line and
3rd [redacted] said [redacted] and [redacted] motion [redacted]
three [redacted]

[redacted] of the question [redacted] called
for by Mr Dacons on the said Amendment
and the same [redacted] seconded [redacted]

The question was [redacted] that the
House agree to much of said amendment
as proposes to strike out the word before
[redacted]

And resolved in the affirmative

The question was then taken on inserting the
word proposed in the said Amendment

And determined in the negative

A motion was made by Mr Rankin & seconded to
postpone the further consideration of said
bill until Thursday next

A motion was then made by Mr Hinds
and seconded to postpone the further con-
sideration of said bill indefinitely

And on the question being taken
thereon

It was determined in the negative

The question seemed on passing
said bill make thereof

which passed in the affirmative

An attestation of M. Shultz

The House proceeded to consider the
resolution submitted by Mr Montgomery
on the 15th instant, When

A motion was made by Mr. Arnold
seconded to amend the said resolution
by striking out the words " to come the
Adjutant and Inspector of the Militia

And on the question taken thereon
It was resolved in the affirmative

The question was then taken on the
whole of said resolution as amended

And passed in the affirmative

A Message from the Council by Mr.
Hughes their Secretary — Mr. Speaker
The Council have passed a bill to
Authorize Isaiah Bundy the administrators of Samuel Bundy deceased

[illegible] a [illegible] tract of land, [illegible]
[illegible] to which title they desire the
[illegible] [illegible] and [illegible]
[illegible]

[illegible] the House this morning and
[illegible]

3. O'clock P.M. Thursday Dec. 18th

Mr. Hare submitted to the House a
Petition in the form of a concurrent
Resolution of the two Houses making an
appropriation for the purchase of a sword
to be presented to Maj. or Genral Andrew
Jackson, which was received and read the
first time, and ordered to be referred to a
Committee of the whole House tomorrow

The House according to the order of the
day resolved itself into a Committee of the
whole House on the report of the Committee
of Privileges and Elections in case of the
contested election of Henry Faulkner returned
to serve in this House as a member from
the County of Mobile and Jackson and
after some time spent therein Mr Speaker
resumed the chair and Mr Patton reported
that the Committee had according to order

the

the [illegible] report which accompanied the [illegible]
[illegible] and
moved some progress [illegible] [illegible] duced
on [illegible] ask for leave to sit again

Resolved that the House [illegible]
[illegible] from consideration the resolution [illegible] and
a Committee of the whole House on
the said report

And the House then agreed and
until tomorrow morning 10 o'clock

Friday December 17th

Mr Allen from the Committee appointed
on the 14th instant to prepare and report a
Memorial to the address to the Congress
United States praying the extention of the
right of suffrage, in case congress shall
not deem it expedient to admit the
Territory immediately into the Union
reports that the Committee had
according to order prepared the same
which he delivered up to the Clerk by
whom the same was read, and
Ordered to lie on the table [illegible]
[illegible]

Mr Chany presented a Petition of Lobby Goldman praying compensation for [illegible] three Counties from the Mass [illegible] after which [illegible] expences [illegible]

[illegible] said Petition was read and Ordered to be referred to the Committee of Claims —

Mr Hankins according to leave given for a bill to establish the rights of several Counties to reconvene their Civil Officers which was received and read the first time and Ordered to be read the second time tomorrow —

Mr Hankins from the Committee to whom was referred on the 11th instant the Petition of the Members and Subscribers of the Presbyterian Church on the Waters of Conecuh & River Creek presented a bill therewith which was received and read the first time, and Ordered to be read the second time tomorrow —

A Message from the Council by Mr Murphy their Secretary — Mr Speaker The Council have passed the bills entitled an Act to Authorize Joseph Blakely to lay out a Town on the east side of Mobile Bay"

[illegible] [illegible]

[illegible] gave notice [illegible]
that he would [illegible] to
to bring in a bill to amend the Act
entitled "An Act for the punishment of
Crimes and misdemeanors" and the Act
amendatory thereto —

The House according to the Order
of the day again resolved itself into a
Committee of the whole House on the
report of the Committee of Elections
on the case of the contested
election of Harry Taulman returned to
serve in this House as a Member for
the County of Charles and Jackson —
and after some time spent therein Mr
Speaker resumed the chair and Mr [illegible]
reported that the Committee had agreed
to adopt the said report again under
consideration and had directed him to
to report their agreement to the resolu-
tions therein contained in the following
words viz

1st Resolved, That Harry Taulman
a member returned from the County
of

of Mobile and Jackson [illegible] to
seats in this House as [illegible] by law
on the 2nd Inst. That Thomas [illegible]
who has returned to be duly elected
in the place of Harry Taul[illegible] whose seat
he has contested, is not entitled to a seat
in this House, and that a new election
in the counties of Mobile and Jackson
should be ordered

The Chair [illegible] submitted to
[illegible] the Clerk's table, when
[illegible] was read by the Speaker
as follows by the Committee of the whole

A division of the question being called
for by Gentlemen on the same motion and
the same being seconded

The question was [illegible] the
House to agree in the first of said
resolutions

and resolved in the [illegible] {yeas
nays

The yeas and nays being called for by

by Mr Rankin

Those who voted in the affirmative are,

| | | | |
|---|---|---|---|
| Messrs. | Baldwin | Messrs. | McCartney |
| | Cheney | | Runnells |
| | Deans | | Regan |
| | Hinds | | Seffold |
| | Moore | | Smith |
| | Montgomery | | Shields |
| | McClay | | Snodgrass |
| | &c | | |

Those who voted in the negative are,

| | | | |
|---|---|---|---|
| Messrs. | Balch | Messrs. | Rankin |
| | Greenleaf | | Posey |
| | Hanna | | Street |
| | Hoggatt | | Taylor |
| | Patton | | |

The question was then taken that the House do concur in the second of said Resolutions —

And resolved in the affirmative

And the House adjourned until 3 Oclock P.M. —

3. Oclock P.M. Friday Dec 17th

The House proceed to consider the Memorial to be addressed to Congress on the

the claims to Settlers on public Lands in the following words —

To the Honorable the Senate and House of Representatives of the United States of America in Congress Assembled. —

The Memorial of the Legislative Council and House of Representatives of the Mississippi Territory in general Assembly Convened; respectfully Sheweth that,

It is with reluctance which nothing Could overcome, but a sense of duty to their Constituents, that your memorialists again present themselves before the National Legislature. A Solemn regard to the welfare of the Mississippi Territory, and to the real interests of the Nation, call upon them to solicit your Honorable body to grant further indulgences to the purchasers of the public Lands. The government of the Nation has already been indulgent, has been liberal: Do not your Memorialists posess a knowledge of the situation of their constituents which a local observation only can impart; they would deem it reprehensible to ask for further indulgence, or to solicit more extended liberality. —

the Public Lands which will shortly be forfeited, unless the Payments are completed, were purchased at a period of unexampled prosperity. The purchasers had every rational ground to believe that as the day of payment approached, they would be enabled to meet it. They have been disappointed. Property has depreciated. Their funds have vanished. They have no means of complying with their Obligations to the Public. The Public Lands were purchased in a time of Peace. Peace might have permitted the purchasers to complete their Payments. The national Interest — the national Character called for War. War just and righteous as it was, has stripped them of the means of fulfilling their engagements. They will not say that the Declaration of War was the Cause of the Debtor's being deprived of his Debts against his will, of the means of discharging his Debts. No: though your Memorialists had no voice in declaring War: they approved the Measure, and would take part and to be regarded as partners in it

and to be partakers of their equal share
of its misfortunes and its heartfelt. But if their
cares their [illegible] consequence of the war: they will be more
than "[illegible]" its disasters. But it
is not the war alone that has involved them
in [illegible] dispensations of Providence
a quinsy which no human foresight could
have guarded - have blasted their crops.
The cattle in the fertile bottoms of the
Mississippi has for two years been
destroyed by the unusual inundations of
that river; the most has exposed the rude
article to a nearly equal injury. It the
attention of your Committee may be
turned to the Eastern [illegible] of our territory
[illegible] what will you see, [illegible] scene of
savage desolation? [illegible]
who have been driven from their homes -
who have been plundered of their
property; who have been deprived
of the power even of gathering
their Crops for the subsistence of their
families; & deprived to be
capable of paying any instalment

which may be due from them, for that land which they have purchased from the Government. Madison County as the Tennessee River has also in some measure been visited by a similar Calamity. That County impressed very settled when every disinterested and Patriotic Citizen of that County and State will readily acknowledge that detached from all other places, affording shelter to Civilized Man; and Notwithstanding the disadvantages of its situation, Yet such was the anticipation of a rapid increase in the value of property in consequence of the projected Canal that higher prices were given for Lands in Madison County than ever were given for the Public Coffers for similar Lands; and the purchasers purchase precludes the people of that County from receiving any benefit from former acts of indulgence. Now what could be the advantage of insisting upon a compliance with the stipulations of the Contract? Would it bring into the Treasury of the United States, any sums of money worthy the attention of a great Nation? It surely would not. Past experience

will justify this conclusion. Where forfeitures have already taken place, few indeed are the cases in which the Lands forfeited have sold at an advance Price at Public Sale. A Change of owners ~~has~~ indeed sometimes taken place, they have been purchased at Private Sale at two dollars per Acre, on account of their improvements; — Also the married man with his Capital in the place of the labouring man with his family has become a Debtor to the operations, ~~of~~ by his industry, or ~~growing~~ ~~strength~~ to it by adding anything favorable to Population. Two slaves have ~~now~~ occupied the Place of a freeman. Thus the source of National greatness has been lessened; and the sinews of National Strength have been relaxed. Alas! the Population of our Territory is already on its decline. Should the Land Laws be enforced at the present unpropitious moment, it will still recede farther from our borders: and where shall we then look for the youthful warriors, who shall defend the fireside of their fathers and become the Champions of the Liberties and honor of their Country

Your Memorialists therefore pray your Honorable body to secure them and in the Occupancy of the Lots which they have Cultivated and the Lands they have built, and to withdraw the Hand of displeasure from them again, any demand for the instalments due upon their Lands, or for the Interest accruing on Payments required, but not discharged in time. — But cause the Purchasers and actual Settlers on the public Lands to be secured in the Occupancy of the Tracts they hold, and have the Privilege of Reentering them within the Space of two or three years; they would and many Cases probably prefer it to any Postponement of the Payment of their present Debt, and Cheerfully submit to the forfeiture of the monies already paid into the Public Treasury. —

Another Subject to which the General Assembly of the Mississippi Territory would solicit the attention of your honorable body; is the existing regulation with regard to the Sale of fractional Parts of Sections. Those

sections frequently extend to the amount of five
six hundred acres: under the present Laws
they cannot be divided. Many Settlers would
be able and desirous to purchase One hundred
and Sixty acres, but are totally unable to
Purchase a whole section. It does not occur
to your Memorialists that there is any Policy
reason why the same Privilege of subdivision
which is enjoyed with regard to whole sections
should not be extended to fractional parts
of sections. It would accommodate
Private Purchasers, and it would advance
the Public Interest, by encouraging the
Sales of Lands. The benefits in both
respects are to both parties are so
obvious, that your Memorialists
persuade themselves, that nothing
more can be necessary to procure
a Modification of the present
Law, than to excite an attention to
the subject in the mind of the
National Legislature. As regards
to the welfare of a People but
lately introduced into the american
family; a People not connected
with

us by Natural ties, and who if exposed
to the Seductions of foreign influence
may state Require the fostering Care
of the Government that may adopted
them; induced the Legislature of
the Mississippi Territory to call some
attention to the act passed in 1812 "for
"ascertaining the titles and Claims to Lands
"in that part of Louisiana which lies
"East of the River Mississippi and
"Island of Orleans." It is not perceived
that this act contains any provision
for the persons actually residing
there at the Change of Government
upon the mere ground of settlement.
It is well known that many had
nothing more than a lease from
the Spanish Officers to reside
in the Country. Yet as that residence
was generally afterwards considered
as a ground for their obtaining
grants; it is hoped that the Government
of the United States will not be
less liberal. It is true those settlements
have in many Cases been made on
Lands

previously granted; some of which are attended
by the distances of the Land Office, and
the frequent neglect of Surveys, the Settler
has no opportunity of informing themselves.
But in such case, it is humbly conceived that
a liberal and liberal Policy would suggest
the Propriety of remunerating them with
Lands in other Places. The time which is
given by the act already mentioned for
recording evidences of title, to a People
many of whom are unacquainted with
our laws, and even our Language, and
whose title depends on records still in
possession of the Spanish Authorities,
seems to be too limited for the purpose:
And the very distressed Situation of the
Country in Consequence of Indian
incursions, has created new difficulties
It is therefore hoped that further
opportunities will be afforded to the
Claimants to establish their titles.
It is also respectfully suggested for
the consideration of Congress whether
a Power be not given to a Single
Commissioner more extensive than
Can

safely be intended to one unacquainted with the practice South of the 31st to give more than of the Decision of Congress ought not to have the advantage of a hearing consisting of three Commissioners; as well as the People residing in other parts of the American Territory. It is true the Commissioner does not give Judgment on the Claim, or hitches; but as he alone enquires into the practices and validity of Claims: as he alone hears all the facts as to inhabitation, Cultivation and every matter which may affect the justice and validity of the Claim; he is required to give not the whole only — but merely the substance of the accompanied with such information and remarks as he may deem necessary to a proper decision thereon. It is apparent that the decision which will finally be made by the Congress must be governed almost entirely by his Report. He has practically therefore the same power as in all other cases, it has been deemed prop

[illegible] to be [illegible] in the hands of [illegible]
[illegible] Your Memorialists therefore
respectfully Pray, that the several matters
& things herein suggested may receive
the deliberate attention of the National
Legislature.

A Motion was made by Mr. Hinds to amend
the said Memorial by striking the words
"would be", in the 2nd Paragraph and 2nd
line of said Memorial, and insert the word
"are". A Division of the question being
called for

The question was taken on so much of
said Amendments as proposes to strike
out the word before selected, And
resolved in the affirmative.

The Question was then taken to insert
the words proposed in said Amendment
and passed in the affirmative.—

A Motion was made by Mr. Chaney
to amend the said Memorial by striking
out the words "and to be Partakers in
their equal share of its misfortunes and
burthens". And on the question thereupon

It was resolved in the Affirmative.—
A Motion was then made by Mr Rankin
to amend said Preamble ~~& Resolution by the~~
following words after the word "Country"
at the end of the 6th paragraph thereof
"but previously to the reception of this
Memorial by your Honorable body many
Cases of forfeiture will have occured, We
therefore trust that you will make
such Provisions for those unfortunate
Sufferers as your Wisdom may
suggest. Where there has been no
Change of Owners, this can be easily
effected by extending to the Original
Purchasers a Right of Preemption,
thereby giving him an Opportunity
of saving his improvement from
the rude grasp of the Merciless
Speculator."
And on the Question taken thereon
It was resolved in the Affirmative
A Motion was also made by
Mr. Rankin

[illegible] the said Memorial by inserting
the following Words after the words [illegible] in
the 6th line and 4th Paragraph [illegible] Lands
lying on Respects Lands East of Penobscot River
lying South of the 31st degree of North
Latitude and West of the Penobscot
River on the question taken thereon
It passed in the affirmative
And the House then adjourned
until tomorrow 10 O'Clock

Saturday December 15th

The Station of Mr Balch

Ordered That Mr Montgomery have leave
of absence from the Service of this House
for to day —

Mr Burnell presented a petition of
Elias Burnell Sheriff of Hancock County
praying compensation for arresting William Smith
charged with stealing and conveying him to
Oxford County on a writ of Habeas Corpus
issued by Judge Leake and for expenses incur-
red for hiring a guard whilst conveying
him to Jail of Hancock County

The

The said Petition was read and to gether with the documents accompanying the same Ordered to be referred to the Committee of Claims —

Mr Moore presents a Petition of James Baldwin Sheriff of Baldwin County praying remuneration for maintaining two prisoners 22 days confined in said County and for expences incurred in having a guard over the same —

The said Petition was read and together with the documents accompanying the same Ordered to be referred to the Committee of Claims —

Mr Beale from the Committee of Propositions and Grievances to whom was referred the Petition of Gabriel Moore James McCartney and Hugh McKay presented a bill thereupon which was received and read the first time — and Ordered to be read the second time on monday next —

Mr Stuart from the Committee aforesaid to whom was referred that part of the Governors speech which relates to roads and highways —

Reported a bill concerning roads & highways which was received &

[illegible] read the first time and ordered to be
[illegible] second time on monday next —

Mr [illegible] from the said Committee also
[illegible] a bill to establish a road from
Mobile to Buckstanna which was received
and read the first time and ordered to be
read the second time on monday next —

On motion of
Mr Hinds and seconded that the House
to come to the following resolution & vote —

Resolved by the House of Representatives
of the St. of T. that the Counties composing the
Territory be divided into five districts for
the purpose of facilitating the nomination
of members to the ensuing Legislative Council
said five Counties of Warren Claiborne & Jefferson
shall form one — The Counties of Adams and
Franklin one — The Counties of Wilkinson
Amite Marion, and Hancock one — The
County of Washington Wayne, Baldwin
Clark, Green Mobile and Jackson one
And the County of Madison one — From
each of which said districts two persons
shall be nominated

Resolved further that no member of
this House be of said nomination

The

The said Resolutions
to be on the table
Attest from the Council by
their Secretary — Mr Speaker the Council
have given leave to bring in a bill
Amend the Attachment Law and then
the Gentleman

Mr. Speaker laid before the House an
Account of Money Contingent &c. allow-
dance and Travelling expenses from
from the seat of Government as a
Member from the County of Clarke &
Jackson and also a letter opinions of the
House on the propriety of his certifying that
part of the said Account which relates
to reclaiming mileage, the Members seat
having been vacated on the 4th instant

The question was taken, Is the Member
entitled to the mileage as before stated —

And determined in the negative

The House resumed the consideration
of the Memorial to lay off & Con-
=grs, on the claims of settlers on
public lands — Whereupon,

A

[illegible]

[illegible]

[illegible]

that he intended to make a motion to-morrow
to bring in a bill to prevent the
Casey [illegible]

Mr Allen of Jackson moved that the House
that he would on to-morrow next for
leave to bring in a bill relating to the
Sheriffs of this State and to abolish the
office of Coroner and Coroners Courts &
of Inquest and thereby repealing the
[illegible]

Mr Patton of Jackson gave notice to the House
that he would make an application on
for leave to bring in a bill entitled
an act amendatory of the act entitled
"An act [illegible]

Mr Hanna gave notice to the House
that he would make an application on
next for leave to bring in a bill to
amend an act entitled "An act
concerning Taxes"

Mr Casey gave notice to the
House that he would make an appli-
cation on to-morrow next for leave to bring in a
bill

bill to amend an Act intitled An Act to raise a revenue"

and the House this adjourned until monday next 10 O'Clock

## Monday December 20th

Mr Pasey laid before the House a paper purporting to be the petition of Patrick O'Mara & others Citizens of this State against the decision in the case of the contested election of Mary Tarbrin, and praying to have the same set at large on the journals, the said paper was read, and the consideration of said application laid over until tomorrow

An engrossed Memorial agreed to the Congress of the United States on the claims to settlers on public lands, was read the third time

And on the question that the same do pass

It was resolved in the affirmative

Ordered that the Clerk of this House do carry the said Memorial to the Council & desire their concurrence

Mr Shields according to leave given
[illegible] & fail to amend the [illegible] and
[illegible] and [illegible] Thereupon
which was received and the first
time & Ordered to be read a second
time [illegible] on wednesday next —

Mr Shields laid before the House a
letter from Peter Pyle Printer of
this District stating that the resolution
of this House of [illegible] for printing
100 copies of the Rules of this House and
the joint rules of the two Houses has been
complied with and the copies delivered —

On motion of [illegible]

Resolved that a Committee be
appointed to compare the printed copies with
the manuscript of the said rules as entered
on the journal of this House and make
report thereof to the House —

And a Committee was appointed of
Messrs. Moore, Potter & Downey pursuant
thereto —

Mr Moore, from the Committee of

Mr. Shields

William Patton Sheriff of Wayne County Ky. by
his complaint alleges that Lucy Ann Hammon
Lunsford was [illegible] Wayne County Ky. and Patton was
sued and together with the Executors of
by the same Ordered to be refunded to the
Committee of Claims

On motion

Ordered that Hon Patton
be a Committee to wait on the Governor
of the Senate and present the resolution
of this House passed on the 11th instant

On motion of Mr Grantz

Ordered that Mr Stuart be added
to the Committee of Claims

The bill to incorporate the Trustees of the
Presbyterian Church on the waters of
Combs and Beaver Creek was read the second
time & Ord.

On motion of Mr Adams,
consideration of said bill was postponed
indefinitely

On motion of Mr Adams.

Ordered that the Committee of the
whole House be discharged from the
consideration

consideration of the Bill for the relief of
the [illegible] and the same being read —
the same be referred to a Committee
of the whole House upon the
A Message from the Council by Mr
Abbott Esqr — the Speaker — The Council
the Council have passed [illegible] to the
Bill [illegible] and
Ordered that Mr Speaker do acquaint the
Council that this House is ready to proceed
on the consideration of the Bill relative to
Marriages solemnized within this Province
and Ordered that the Bill be read a second time
on Monday next —

The Bill for the relief of certain persons
therein named was read the second time
and Ordered to be referred to a Committee
of the whole House immediately —

The House accordingly resolved itself
into a Committee of the whole House,
on the said Bill and after some time
spent therein Mr Speaker resumed the
Chair and Mr Regan Reported that the
Committee had according to Order taken the
Bill under consideration and had directed
him to report the same without any
Amendments —

Ordered

On motion

Ordered that the said bill be engrossed and read the third time to-morrow —

The Bill to provide a mode of enabling the people of the several Counties to recommend their civil Officers, was read the second time,

On motion of Mr Regan the further consideration of said bill was postponed indefinitely —

A Message from the Council by Mr McCalleb — Mr Speaker — The Council have passed the Memorial to be addressed to the Congress of the United States, on the claims to Settlers on public lands [illegible] them for concurrence — and this House authorizes

The Bills from the Council to reduce into one and amend the several statutes relative to the Judiciary, was read the first time and ordered to be read the second time tomorrow —

A Message from the Council by Mr McCalleb — Mr Speaker The Council

directed by the Council to lay before the Speaker of this House a letter from the Governor of the State of Tennessee with documents therein enclosed — and then he withdrew —

And the House then adjourned until tomorrow morning 10 o'clock

Tuesday Dec 21st

Mr Snodgrass presents a Petition of Robert Turner praying an Allowance for his attendance in behalf of the Penitentiary in a Criminal prosecution —

The said Petition was read and ordered to be referred to the Committee of Propositions & Grievances —

Mr Rankin presents a Petition of sundry citizens of the County of Marion stating that a division of said County in the contemplated event will not comport with the welfare of the main body of the Citizens thereof, & praying that the same may be divided in the manner set out in said Petition —

The said Petition was read and ordered to lie on the Table —

Mr Baldwin from the Committee of Propositions to whom was referred the Petition of Joseph Forman administrator of the estate of William Gordon Freeman dec'd presented a bill for the sale of the real estate of William Gordon Freeman on a credit of three annual instalments, which was received and read the first time and ordered to be read the second time tomorrow —

Mr Baldwin from the same Committee to whom was referred the Petition of Solomon Whitley made a report which was read and the resolution contained therein thereon concurred in by the House as follows —

"Resolved that the Petitioner have leave to withdraw his said Petition" —

Mr Baldwin from the same Committee made a report on the Petition of Hugues Debrosse, which was read and the resolution contained therein concurred in by the House as follows —

"Resolved that the prayer of the said Petition is unreasonable & ought not to be granted" —

Mr Moore from the Committee appointed on the 20th instant to compare the printed copies with the manuscript of the Rules and Orders for the government of this House and the joint rules of the two Houses as entered on the journal, "Report that they have performed that service, and have been able to find about ninety copies, but believe that the whole number of one hundred copies were furnished by the printer, that there is no material variance in the printed copies from those spread on the journal" —

The said report was read and concurred in by the House —

Mr Runnells from the Committee to whom was referred on the 8th instant the Petition of sundry inhabitants of the eastern part of Hancock County presented a bill, to promote a knowledge of the laws with persons using only the French language" which was received & read the first time, and ordered to be read the second time on monday next —

On motion of Mr Hunt —

Resolved by the Legislative Council

and House of Representatives of the U.S. that the Speaker cause three copies of the memorial to the Congress of the U.S. to be forwarded ~~forthwith~~, one to the President of the U.S. one to the Speaker of the H.R. of the U.S. and one ~~to~~ an Delegate in Congress —

Ordered That the Clerk of this House do carry the said resolution to the Council and desire their concurrence —

Mr. Snodgrass from the joint Committee for enrolled bills reported that the Committee had examined an enrolled Memorial to Congress on the claims to settlers on public lands, and had found the same to be truly enrolled, Whereupon —

Mr. Speaker signed the same

Ordered that the Clerk of this House do acquaint the Council Therewith —

Mr. Moore according to leave given presented a bill entitled the right of suffrage for Select men, Treasurer, Assessor and Collector for the City of Natchez, which was received and read the first time & Ordered to be read the second time tomorrow

A Message from the Council by Mr. ~~Langhorne~~ McCabe — Mr. Speaker — The Council have passed a bill to be entitled "An Act to amend the Attachment law," to which bill they desire the concurrence of this House — They have agreed to the Resolutions directing three copies of the Memorial to Congress to be forwarded forthwith — and then he withdrew

The House resumed the consideration of the application of the Party, to insert on the journal a protest against the decision of this House in the case of the contested election of Harry Faulkner

And the question being taken that leave be given to insert the same

The Speaker declaring himself with the nays making the decision equal the question was according to the rules of the House decided in the negative

{ yeas 12
{ nays 12

The yeas and nays being called for

Those who voted in the affirmative are

are —

| | | | |
|---|---|---|---|
| Mess^rs | Balch | Mess^rs | Posey |
| | Dawes | | Rankin |
| | Grantaf | | Shields |
| | Hamm | | Smith |
| | Hoggatt | | Stuart |
| | Patton — | | Taylor |

Those who voted in the negative, are

| | | | |
|---|---|---|---|
| Mess^rs | Burnett (Speaker) | Mess^rs | McVay |
| | Baldwin | | McCartney |
| | Chaney | | Runnells |
| | Hinds | | Regan |
| | Moore | | Seffold |
| | Montgomery — | | Snodgrass |

The House proceeded to consider the resolution submitted by Mr Hinds on the 18th instant respecting the nomination of the Legislative Council, when,

A motion was made by Mr Regan to amend the said resolution by striking out the words "Darren" in the 6th line of to insert the same word after the word "Madison" in the 12th line of Resolution

And on the question thereon

It was resolved in the affirmative

A motion was made by Mr. Shields to amend the said resolution by adding thereto the words "to the President of the United States" —

And on the question being taken thereon

It passed in the affirmative

The question was then taken on the whole of said resolutions as amended

And resolved in the affirmative,

every Member answering in the affirmative as follows —

| | |
|---|---|
| Mr. Balch | Mr. Patton |
| Baldwin | Pasey |
| Chaney | Rankin |
| Dawns | Runnells |
| Greenleaf | Regan |
| Hanna | Layfield |
| Hinds | Shutes |
| Hoggatt | Smith |
| Moore | Snoggrass |
| Montgomery | Stuart |
| McKay | Taylor |
| McCartney | |

The Bill from the Council to be entitled "An Act to amend the Attachment law" was read the first time and

and Ordered to be read the second time on monday next —

The bill from the Council entitled An Act to reduce into one and amend the several Militia Laws of this Territory, was read the second time, and Ordered to be referred to the Committee appointed on that part of the Governors Speech which related to the Militia —

On a motion made by Mr. Shute and seconded that the House do come to the following resolution Viz —

Resolved That this House do now proceed to ballot for a Sargeant at Arms —

And on the question thereon

It was determined in the negative

The bill concerning roads and highways was read the second time, and Ordered to be referred to a Committee of the whole House on monday next —

The unprofited bill to change the name of Freman Ford Graves was read

The

the third time —

Resolved That the said bill do pass and that the title be "An Act to change the name of Truman Ford Grant" —

Ordered That the Clerk of this House do carry the said bill to the Council and desire their concurrence —

The bill from the Council entitled "An Act to authorize the administrators of Samuel Bridge deceased to sell a tract of land therein named" was read the first time, and ordered to be read the second time tomorrow —

And the House then adjourned until 3. O'Clock P.M.

3 O'Clock P.M. Tuesday Dec. 21st

The Speaker laid before the House a letter from Harry Taubman on the subject of the local interests of his late constituents

The said letter was read and Ordered to lie on the table

An engrossed bill for the relief of certain persons therein named was read the third time —

Resolved That the said bill do pass and that the title be "An act for the relief of certain persons therein named" —

Ordered That the Clerk of this House do carry the said bill to the Council and desire their concurrence —

The Bill to establish a road from Mobile to Buckatunnee was read the second time and Ordered to be referred to a Committee of the whole House immediately

The House accordingly resolved itself into a Committee of the whole House on the said bill and after some time spent therein Mr. Speaker resumed the chair and Mr Clay reported that the committee had according to order the said bill under consideration and had made several ammendments thereto which he delivered in at the Clerks table where the same were severally read and concurred in by the House —

Ordered that the said bill with the ammendments be ingrossed and read the third time tomorrow —

The House according to the order of the day resolved itself into a Committee of

of the whole House on the resolutions
on the Journ of a concurrent resolution of
both Houses making an appropriation for
the purchase of a sword to be presented to
Majr Genral Andrew Jackson, and after
some time spent therein Mr Speaker re-
sumed the chair and Mr Smith reported
that the Committee had according to order
the said resolution under consideration and
had made an Amendment thereto which he
delivered in at the Clerks table where the
same was read and concurred in by
the House —

On motion of Mr Moore

Ordered that the further consider-
ation of sd resolution be postponed until
Monday next —

And the House then adjourned
until tomorrow morning 10 Oclock

Wednesday Decr 22nd

Mr Hanna according to leave given
presented a bill concerning strays which
was received & read the first time &
Ordered to be read the second time on

Thursday next

Mr Moore from the Committee to whom was referred the bill for the relief of the two collectors of Middlesex County, reported an amendatory bill thereto which was read and read the first time and Ordered to be read the second time tomorrow

The bill to amend an Act entitled An Act for the punishment of crimes & misdemeanors and the Act amendatory thereto was read the second time, and Ordered to be referred to a Committee of the whole House tomorrow

The bill from the Council entitled An Act to authorize the administrators of Samuel Bridges deceased to sell a certain tract of land therein named was read the second time and Ordered to be read the third time tomorrow

Mr Shute gave notice to the House that he would move tomorrow for leave to bring in a bill to repeal the several Acts & parts of Acts therein named

The bill for the sale of the real estate of William Gordon Fauntleroy and a Credit of three annual installments was read the second time, and ordered to be engrossed and read the third time tomorrow —

On Motion of Mr. Friars

Resolved that a Committee be appointed of three members to wait on his Excellency the Governor and inform him that the seat of Henry Foulkrod Esquire who was returned from the Counties of Adams and Jackson to serve in the House of Representatives has been vacated —

And a Committee was appointed of Messrs. Stuart, Moore, & Hoggatt pursuant thereto —

The bill to extend the rights of suffrage for Selectmen, Treasurer, Assessor and Collector of the City of Natchez, was read the second time, and ordered to be referred to the Committee of the whole House tomorrow —

On a motion duly made by [redacted] and seconded that the House do come to the following resolution — to wit —

Resolved That the House do now proceed by ballot to nominate two persons to the President of the United States pursuant (three of whom to be communicated as the Legislative Council of this Territory) in pursuance to the resolutions of this House passed on the 11th and 21st instant, —

The House proceeded to consider the said resolution at the Clerks table, & then —

A motion was made by Mr. Snodgrass and seconded that the further consideration of said resolution be postponed until the 1st monday in January next —

And on the question thereon

It was determined in the negative

A motion was made by Mr Reid and seconded to postpone the further consideration of said resolution, & postponed until thursday the 30th instant —

And the question being taken thereon

It

It was determined in the negative

A motion was made by Mr. Snodgrass ~~to adjourn the~~ and seconded that the further consideration of said resolution be postponed until tuesday the 28th instant

And the question being taken

It was determined in the negative

Another motion was made by Mr. Snodgrass and seconded to postpone the further consideration of s^d resolution till tomorrow 2

And on the question thereon

It was determined in the negative

A motion was then made by Mr. Chamy to postpone the further consideration of said resolution till 3 O'Clock this afternoon —

And on the question thereon

It was resolved the affirmative

A motion was made by Mr Hinds & seconded that the House do come

do come to the following resolution thereto —

Resolved that the members of each nomination district furnish to the House forthwith a list of the nominees for their proper district —

and dictate anything thereon

The House adjourned until 3 O'clock P.M.

3 O'clock P.M. Friday Wednesday

Dec 22nd

The House resumed the consideration of the unfinished business of this morning and the question depending at the time of adjournment, that the resolution proposed by Mr. Hinds be agreed to by the House being again stated

And on the question being taken thereon

It was determined in the negative

Mr. A motion was made by Mr. Dawson and seconded that the House do come to the following resolution therein —

Resolved by the Legislative Council and House of Representatives that when the two Houses adjourn on tomorrow they adjourn until tuesday next 12. O'clock

The

The House proceeded to consider the Resolution at the Clerks Table, when

A motion was made by Mr Russell to postpone the further consideration of said resolution until Friday next

And on the question being taken thereon

It was determined in the negative

The question then recurred on the passage of the said resolution, and the same being taken

It was resolved in the affirmative

On motion

Ordered Messrs Shields & Smith & Mr Hopkins Collins to receive and count the ballots to be given for the nomination of the Legislative Council —

In this House there in pursuance of the Ordinance of 1787 and of the ~~instructions~~ passed on the 14th and 21st instant proceeded by ballot to nominate two persons to the President of the United States five of whom to be Commissioned as the Members of the Legislative Council of this Territory, and upon counting the ballots it appeared that the following named persons had the number of votes ~~[illegible]~~ altered to their names being a majority of the votes of all the members of this House — towit —

| | | |
|---|---|---|
| From the district composed of the County of Warren and Madison | James Titus | 22 |
| | William Lewis | 17 |
| From the district composed of the Counties of Claiborne and Jefferson | Thomas Barney | 23 |
| | Cato West | 16 |
| From the district composed of the County of Adams Franklin | Benby Rhrayson | 17 |
| | Nathaniel A Ware | 17 |
| From the district composed of the County of Wilkinson Amite Marion & Hancock | Haswell W Runnells | 17 |
| | Haley I Inge | 15 |
| From the district composed of the County of Washington Wayne Baldwin Clark [illegible] & Jackson | Joseph Carson | 24 |
| | David Files | 20 |

And the [illegible] House then adjourned until tomorrow morning 10 o'Clock

Thursday December 23rd

On motion of Mr McCartney

Ordered, That Mr Moore have leave of absence from the service of this House for to day—

A Message from the Council by Mr Hughes their Secretary — Mr Speaker the Council have concurred with this House in the Resolution relative to an adjournment and then he withdrew—

On motion

Ordered That Mr Dawson have leave to bring in a bill to change the place of holding elections in Warren County, —

Mr Dawson accordingly presented the said bill, which was received and read the first time —

On motion

The said bill was read the second time and Ordered to be engrossed & read the third time on Tuesday next

The bill amendatory of the Acts entitled an Act concerning Clerks of Courts and to reduce into one the several acts regulating Offices so and more particularly to define the same, was read the second time — When An Motion of Mr Davis —

The further consideration of said bill was postponed until Tuesday next —

Mr Balch from the Committee of Propositions and Grievances to whom was referred the petition of William E Kennedy & others inhabitants of Mobile, reported a bill to authorize the several Courts of Justices for Mobile County to be held in the Town of Mobile until the public buildings shall be erected in said County and be ready for their reception; and for the alteration of the terms of Courts in certain Counties — which was received and read the first time, and Ordered to be read the second time on Tuesday next —

The House according to the Order of the day resolved itself into a Committee of

of the whole House on the bill to amend An Act entitled "An Act for the punishment of crimes and misdemeanors, and the Acts amendatory thereto, and after some time Spent therein Mr Speaker resumed the chair and Mr Stuart reported that the Committee had according to Order had the said bill under consideration and had made sundry Amendments thereto, which he delivered in at the Clerks table where the same were severally read, Whereupon

An ettotion of Mr Shultz

Ordered that the consideration of said report be postponed until Wednesday next —

Mr Shultz gave notice to the House that he should move on tuesday next for leave to bring in a bill to amend An Act entitled An Act prescribing a summary mode for the trial of Slaves"

An ettotion of Mr Shultz —

Ordered that Mr Regan have leave of absence from the Service of this House, one week from

tuesday

tuesday next —

And the House then adjourned until tuesday next 12 Oclock meridian —

---

Tuesday Decr 28th

On ettotion,

Ordered That ell Snodgrass be appointed Speaker pro tempore of the House —

The House according to the Order of the day resolved itself into a Committee of the whole House on the bill to extend the right of suffrage for select men, Treasurer, Assessor & Collector for the City of Natchez and after some time spent therein ell Speaker pro tem resumed the chair & Mr Stuart reported that the Committee had according to Order the said bill under consideration and had made sundral ammendments thereto which he delivered in at the Clerks table where the same were read and severally concurred in by the House

Ordered that the said bill be engrossed with the Ammendments & read the third time tomorrow >

Mr Speaker appd & took his seat

The bill ammendatory to the Act entitled An Act concerning Clerks of Courts and to reduce into the several laws regulating Officers fees and more particularly to explain the same, was Ordered to be referred to a Committee of the whole House immediately —

The House accordingly resolved itself into a Committee of the whole House on the said bills and after some time spent therein Mr Speaker ~~pro tempore~~ resumed the chair & Mr Stuart reported that the Committee had according to Order the said bill under consideration and had made several Ammendments thereto which he delivered in at the Clerks table where the same were read ~~and formally concurred in by the House~~

On motion of Mr Stuart

The consideration of said report was postponed until tomorrow

And the House then adjourned until 3. Oclock this afternoon —

3 O'clock Bell Tuesday Decr 28th 1813

Mr Taylor from the Committee appointed on that part of the Governors Speech which relates to the Judiciary reported a bill to regulate the Juveral Courts of the Territory and to create a Supreme Court of Appeals, which was recieved and read the first time and Ordered to be read the second time tomorrow

Mr Speaker laid before the House a letter from Tuckabeemubbee a Chactaw chief on the subject of selling whiskey to his people which was read and Ordered to lie on the table

Mr Moore gave notice to the House that he wants to move tomorrow for leave to bring in a bill providing in what manner distillers of spirituous liquors may dispose of the same And a bill to amend and simplify the mode of proceeding in Courts of Justice

The bill to promote a knowledge of the laws with those persons using only the French language was read the second and Ordered to be

to be referrd to a Committee of the whole House on Friday next —

The Memorial to Congress praying an extention of the right of suffrage was read the second time and Ordered to be referrd to a Committee of the whole House on Thursday next —

On motion Mr Meade and leave given Mr Shultz presented a bill to repeal the several Laws Acts and parts thereof named and for other purposes which was received and read the first time and Ordered to be read the second time tomorrow —

On motion made & leave given Mr Shultz presented a bill to Amend an Act entitled "An Act prescribing a summary mode for the trial of Slaves" which was received and read the 1st time and Ordered to be on the table

An Engrossed bill for the sale of the real Estate of William Gordon Forman deceased on a Credit of

three annual instalments was read the third time

Resolved that the said bill do pass and that the title be "An act for the sale of the real estate of William Gordon Firman deceased on a Credit of three annual instalments"

Ordered That the Clerk of this House do carry the said bill to the Council & desire their concurrence —

On motion of Mr Moore

Ordered That Mr Patton be added to the Committee appointed on that part of Governors speech which relates to the Militia —

And the House then adjourned until tomorrow morning 10 O Clock —

## Wednesday Dec^r 29^th

Mr Taylor presented the Petition of Rachel Reed a free woman of Colour praying that a Law may be passed authorizing her to manumit her son James who has become her property by purchase —

Mr Taylor presented a petition of Walter Irwin praying that a law may be passed authorizing him as executor of the last will and testament of Jonny McCary to manumit Sally Franky & Bal, the children ~~of~~ the said McCary begot with the negro girl Franky—according to the directions contained in said Will

Mr Shultz presented a Petition of Adam a negro man praying for certain reasons therein mentioned that a law may be ~~ready~~ passed confirming him in his freedom which has been given him by the will of his deceased master—

The said Petitions were severally read and ordered to be referred to a Committee of Messrs Taylor Shultz & Rankin

Mr. Taylor Shultz presented a Petition of Edgar Pannell, Executrix & David Pannell Executor of the last will & testament of Joseph Pannell deceased praying for certain reasons therein mentioned that a law may be passed authorizing the sale of the real estate of said deceased

The

The said Petition was read and Ordered to be referred to the Committee of Propositions & Grievances —

Mr Regan appeared & took his seat

Mr Mc Farland from the Committee to whom was referred the bill providing for the Government of the Town of Mobile, reported an Amendatory bill thereto which was received and read the first time and Ordered to be read the second time tomorrow

An engrossed bill for extending the right of suffrage for Select men Treasurer and Assessor & Collector for the City of Natchez and prescribing the qualifications necessary for those Offices was read the third time

Resolved that the said bill do pass and that the title be "An Act extending the right of suffrage for Select men, Treasurer Assessor and Collector for the City of Natchez and prescribing the qualifications necessary for those offices" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

A Message from the Council by Mr Hughes their Secretary — Mr Speaker The Council have passed a bill entitled "An Act to amend an Act entitled an Act prescribing a Summary mode for the trial of Slaves" — to which bill they desire the concurrence of this House — and then he withdrew —

The House resumed the consideration of the Amendments reported by the Committee of the whole House to the bill to amend an Act entitled an Act for the punishment of crimes and misdemeanors and the Acts amendatory thereto, Whereupon, On Motion

Resolved That this doth concur with the Committee of the whole in the 1st 2d and part of the 3rd of said amendments and doth disagree to so much of said 3rd amendments as proposes to strike out the word "and hanc. his ear nailed to the pillory & cut off"

The said bill was then further Amended at the Clerks table and Ordered to be engrossed with the Amendments & read the third time on Friday next —

On motion made and leave given, Mr. Chaney presented a bill to establish two election districts in Franklin County and for other purposes which was received and read the first time and Ordered to be read the second time tomorrow.

Mr. McVay gave notice to the House that he would move tomorrow for leave to bring in a bill to extend the jurisdiction of Justices of the peace —

An engrossed bill to establish a road from Mobile to Bucketanny was read the third time and amended by order —

Resolved That the said bill do pass & that the title be "An act to establish a road from Mobile to Bucketanny" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

The Bill to amend an Act entitled an Act to amend the several laws now in force relative to Strays was read the second time and Ordered to be referred to a Committee of

of the whole House on Saturday next

And the House then adjourned until 3 O'Clock this afternoon —

3 O'Clock P.M. Wednesday Dec. 29.

The House resumed the consideration of the bill for dividing Marion County and forming two new Counties by the name of Pike & Pearl, which was

On motion of Mr Moore

The further consideration of said bill was postponed until tomorrow —

On motion made and leave given Mr. Allen presented a bill providing in what manner distillers of spirituous liquors may dispose of the same, which was received & read the first time and ordered to be read the second time tomorrow —

An unpassed bill to change the place of holding elections in Warren County was read the third time and amended by order

Resolved that the said bill do pass & that the title be "An Act to change

the

the place of holding elections in Warren County."

Ordered that the Clerk of this House do carry the said bills to the Council and desire their concurrence —

Mr. Moore gave notice to the House that he would move tomorrow for leave to bring in a bill to amend the several laws relative to the public printing —

On motion

Ordered that Mr. Hanna be added to the Committee of Claims

On motion

Ordered that Messrs. Hoggatt & Posey be added to the Committee of Accounts —

And the House then adjourned until to morrow morning 10 O'Clock —

Thursday Decr. 30th

Mr. Greenleaf presented a Petition of William Mann praying for certain reasons therein named that he may be released from the payment

payment of a forfeiture which he has become liable to pay at the security for the appearance of James Martin to answer a bill of Indictment —

The said Petition was read and Ordered to be referred to the Committee of Propositions & Grievances —

The Speaker laid before the House a Petition of E. Jenson assignee of Charles Lafrance praying that provision may be made for the payment of twenty five and the amount contracted to be paid by the two Houses of the last Gen^l Assy for taking care of the furniture belonging to the two Houses thereto — The said Petition was read & Ordered to be referred to the Committee of Claims —

The House resumed the consideration of the bill for the division of Marion County and forming two new Counties, When

a motion was made by Mr. Rankin and seconded further to amend the said bill by striking out the words "twenty four miles to the north boundary of the fourth Township thence West along said line to the eastern boundary line" in the 1st Section of said bill —

And

And on the question being taken thereon

It was resolved in the affirmative

Another motion was made by Mr. Rankin, seconded to amend the said bill by inserting the following words in lieu of the words stricken out viz- "along said township line to the summit of the dividing the waters of Bunge chitto from Pearl "river, thence along said dividing ridge to the "northern part of the said east and west town- "ship line, thence west along said line to the "eastern boundary of Franklin County, thence "south along said line to the north east corner"

And on the question thereon

It was resolved in the affirmative

A motion was made by Mr. Rankin, seconded to amend the said bill by striking out the second section thereof, when

A motion was made by Mr. Moore and seconded to postpone the further consideration of said bill till tomorrow

And on the question thereon

It was determined in the negative

The

The question then receiving on striking out the second section of said bill & the same being taken

It was determined in the negative

Another motion was made by Mr Rankin and seconded to amend the said bill by striking out the following words viz the 2d Section of said bill viz "North east corner of Avon County running thence east along the north boundary of the fourth Township to the western boundary line of Wayne County" and to insert the following words in lieu thereof viz "North east corner of the County designated in the preceding section of this act running thence east along the fifth east and west township line to the north west corner of Green County"

And on the question being taken thereon

It was resolved in the affirmative

The said bill was further amended at the Clerks table and ordered to be engrossed & with the amendments and read the third time tomorrow

A Message from the Council by Mr Hughes their Secretary Mr. Speaker — The Council have passed the bill entitled an act for the sale of the real estate of William Goram Herman deceased on a credit of three annual instalments," with certain amendments, to which amendments they desire the concurrence of this House — They have also passed this bill entitled An act to establish a road from Rockville to Buckeltanna with certain amendments to which they also desire the concurrence of this House and then he withdrew —

The House proceeded to consider the amendments proposed by the Council to the bill last mentioned, Whereupon,

Resolved that this House doth disagree to the first & second and have agree to the third & fourth of said amendments

Ordered that the Clerk of this House do acquaint the Council therewith

The House proceed to consider the amt proposed by the Council to the bill intitled

An

An Act for the sale of the real estate of William Gordon Forman dec^d on a credit of three annual instalments" Whereupon

Resolved that this House do agree to the same —

Ordered that the Clerk of this House do acquaint the Council therewith

The bill from the Council entitled "An Act to amend an act intituled "An Act for the trial of Slaves" was read the first time and Ordered to be read the second time tomorrow

A Message from the Council by Mr Hughes their Secretary — Mr Speaker the Council have passed a bill entitled "An Act for the relief of certain persons therein named" with certain amendments to the same to which amendments they desire the concurrence of this House — The Council have given leave to bring in a bill respecting Sheriffs and then he withdrew —

The bill from the Council intitled An Act to amend the Attachment law was read the second time and

Ordered

Ordered to be referd to the Committee appointed as that part of the Governors Speech which relates to the Judiciary —

An ellation made by Mr Stuart & seconded that the House do come to the following resolution Viz,

Resolved That a Committee be appointed to wait on and furnish his Excellency the Governor with such documents as may be necessary to transmit to the President of the United States, proper information relative to the late nomination of members for the succeeding Legislature Council of this Territory

The said resolution was read and Ordered to lie on the table —

An ellation

Ordered That Mr. Regan have leave of absence from the Service of this House till 3. Oclock this afternoon

and the House then adjourned until ~~tomorrow~~ 3 Oclock this afternoon

3 Oclock Pell Thursday Decr 30th

An ellation made & leave given Mr Moore presented a bill to amend the several Acts

thats regulating the publick printing which was recvd and read the first time and Ordered to be read the second time on monday next —

The Bill from the Council Entitled "An Act to authorize the administrators of Samuel Bridge deceased to Sell a certain tract of land therein named was read the third time

And on the question that the same do pass —

It was resolved in the Affirmative

Ordered that the Clerk of this House do acquaint the Council therewith —

Mr. Smith from the Committee &c. on so much of the Governors speech which relates to the purchasing of Arms for the use of the Territory reported a resolution in the form of a concurrent resolution thereon which was recvd & read the first time ~~and Ordered to be read the second time~~ —

The Bill to authorize the several

(Court)

County of Justice for Mobile County to be held in the Town of Mobile until the public public buildings shall be erected in said County and be ready for their reception, & for the alteration of the terms of Courts in certain County, was read the second time and Ordered to be recommitted to the Committee of Propositions & Grievances —

The bill to establish two election districts in Franklin County and for other purposes was read the second time, and Ordered to be referred to a Committee of the whole House on monday next —

Wm Rumsey gave notice to the House that he would move tomorrow for leave to bring in a bill to establish two election districts in Hancock County —

~~The House resumed the consideration of~~ The Resolution in the form of a concurrent of both Houses making an appropriation for the purchase of a sword to be presented to Major General Andrew Jackson ~~was~~ Ordered to be recommitted to a Committee of the whole House immediately

He

The House accordingly again resolved itself into a Committee of the whole House on the said resolution and after some time spent therein Mr. Speaker resumed the chair & Mr Snodgrass reported that the Committee had according to Order the said resolution again under consideration and had made an Amendment thereto which he delivered in at the Clerks table where the same was read and concurred in by the House in the words following

Strike out the words "two hundred" and insert the following words "three hundred" in lieu thereof.

And on the question being taken to concur with the Committee of the whole House in said Ammendment —

It was resolved in the affirmative { yeas 14 nays }

The yeas and nays being called for by Mr. Moore —

Those who voted in the affirmative are

| | |
|---|---|
| Messrs Balch | Messrs Posey |
| Chaney | Rankin |
| Dawns | Saffold |
| Grenleaf | Shields |
| Hanna | Snodgrass |
| Hinds | Stuart |
| Hoggatt | Taylor |

Those who voted in the negative are,

Mess^rs Baldwin
do Moore
do Montgomery
and Day

Mess^rs McCartney
Patton
Runnells

On Motion, Mr Smith for reasons shewn to the House was excused from voting on s^d question.

On Motion,

Ordered that the said bill with the ammendment be engrossed and read the third time tomorrow —

On Motion of Mr Stuart,

Ordered, That the Committee of the whole House be discharged from the consideration of the bill concerning roads and Highways and that the same be referred to a Committee of Mess^rs Stuart Hamm & Posey —

And the House then adjourned until tomorrow morning 10 O'Clock

Friday December 31st —

Mr Stuart presented a Petition of John Stafford praying an allowance for services performed by him as Captain of the 2nd Regiment of Militia which the Auditor has refused to order — The said Petition was read and Ordered to lie on the table to be referred to the Committee of Claims —

On ellation made by the W. Speaker and seconded that the House do come to the following resolution touch —

Resolved That the Auditor of Public Accounts be requested to lay before this House the amount of the assessment of taxes in each County and the ballance of taxes if any there be, due from the several tax Collectors up to the fifteenth day of October last together with a statement of all debts due the Territory at this time and by whom the same are due, with such explanatory remarks as to him may appear pertinent,

The said resolution was read and Ordered to lie on the table —

The House proceeded to consider the ammendments proposed by the Hon Council to the bill intitled "An act for the relief of certain persons therein named", whereupon

Resolved that this House do agree to the first & second of said ammendments —

The third ammendment was then read at the Clerks table in the following words

"Add the a new section to the bill" as follows

Be it further enacted that Harry Faulkner who was returned as a member from district of Jackson County, be allowed the sum of forty two dollars for returning home after his seat was vacated, to him at the rate of three dollars for every twenty miles" — When,

An election of Mr. Smith & seconded Resolved that the said ammendment be referred to a Committee of the whole House immediately —

The House accordingly resolved itself into a Committee of the whole House on the said ammendment and after some time spent therein Mr. Speaker resumed the chair and Mr. Regan reports that the Committee had according to Order the Sd ammendment under consideration and had directed him to report their concurrence in the same Resolution —

An election Resolved that this House do concur with the Committee of the whole in their concurrence in said Ammendment

Resolved

Ordered that the Clerk of this House do acquaint the Council therewith —

Mr. Saffold from the Committee of Claims to whom was referred the Petition of Ell, Tool Adjutant of the 1st Regiment of Militia made a report thereon which was read and Ordered to lie on the table

—

Mr Saffold from the same Committee made a report on the Petition of Henry Gotman which was read and the resolution contained therein concurred in by the House as follows

"Resolved that the petitioner have leave to withdraw his said Petition"

On motion made and leave given by the House — Mr Saffold from the same Committee to whom was referred the Petitions of Benjamin Baldwin, Hugh Connelly William Patton, & E. Dickson & the account of John H. Haynes presented a bill for the relief of certain persons therein named which was received and read the first time and Ordered to be read the second time tomorrow —

An Motion made by Mr. Rankin that and seconded that this House do come to the following resolution

Resolved That no person take such an ungenerous advantage of the Speaker as to attack him with oratory behind his back & that any member attempting to speak, rise from his seat, that it may be clearly understood Whether he is engaged in private conversation or addressing the House —

The said resolution was read & Ordered to lie on the table —

A Message from the Council by Mr. Hughes their Secretary — Mr. Speaker — The Council have receded from their first amendment and insist on their second amendment to the bill intitled An Act to establish a road from Mobile to Bucketanny" — and then he withdrew

The Bill from the Council intitled an Act to amend "An Act intitled "an Act prescribing a summary mode for the trial of Slaves" was read the second time & Ordered to be referred to the Committee of Messrs. Rankin Taylor & Smith —

The Bill of this House to amend an Act

intitled

entitled An Act prescribing a summary mode for the trial of Slaves" was read the second time, and Ordered to be referred to the Committee last named —

Mr Smith presented a Petition of David Hall praying an Allowance for the sum of twenty one dollars being the amount paid by him in the year 1807 as a defaulting juror — The said Petition was read and Ordered to be referred to the Committee of Propositions & Grievances —

On motion Ordered that Mr. Lloyd Posey have leave of Absence from the Service of this House until Tuesday next 10 O'Clock

The Bill to regulate the Judicial Courts of this Territory and to create a Supreme Court of Appeals, was read the second time and Ordered to be referred to a Committee of the whole House on tuesday next —

On motion Ordered that fifty copies of said bill be printed for the use of the Members —

An Engroped bill to amend an Act entitled "An Act for the punishment of crimes & misdemeanors and the Acts amendatory thereto" was read the third time

Resolved that the said bill do pass and that the title be an Act to amend an Act entitled An Act for the punishment of crimes & misdemeanors and the Acts amendatory thereto"—

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence—

The House according to the order of the day resolved itself into a Committee of the whole House on the Memorial to be addressed to Congress praying an extention of the right of suffrage— and after some time spent therein Mr Speaker resumed the Chair and Mr McCartney reports that the Committee had according to Order the said Memorial under consideration and had made some progress therein and had directed him to ask for leave to set again—

On motion Resolved that this House will again resolve itself into a Committe of the whole House on the said bill——

And the House then adjourned until tomorrow morning 10 O'Clock —

## Saturday January 1st 1814

Mr. McCarty presented a Petition of James Patton a member of this House from the County of Wayne and Grier praying an allowance may be made him for travelling one hundred and forty miles in consequence of not knowing of the prarogation of the General Assembly —

The said Petition was read and Ordered to be referred to the Committee of Claims

Mr. Stuart presented a Petition of Charles S. Cosby praying compensation for services performed by him as adjutant of the 2nd Regiment of Militia —

The said petition was read and Ordered to be referred to the Committee of Claims —

A Message from the Council by Mr. Hughes their Secretary — Mr Speaker — The Council have passed the bill entitled "An Act to change the place of for holding Elections in Warren County," sent for concurrence — They have passed a bill entitled "An Act respecting Sheriffs Clerks, and Attorneys Generals, to which

which bill they desire the concurrence of this House. — They have given leave to bring in a bill authorizing Warrants of Attorney to confess judgment, and then he withdrew —

Mr. Speaker presented a Petition ~~of~~ ~~hundreds~~ ~~&~~ signed by one hundred ~~and~~ persons inhabitants of the County of Jefferson, praying Legislative interference in behalf of the Petition of Hiss Turnley

The said Petition was read and Ordered to lie on the table —

Mr. Dawns presented a Petition signed by ninety persons inhabitants of the County of Warren to the same purpose — which was read and Ordered to lie on the table —

Mr. Regan gave notice to the House that he would tomorrow for leave to bring in a bill to amend the act regulating the mode of collecting money by execution —

A motion was made by Mr. McCay of Lacon that the House do come to the following resolution —

Resolved by the Legislative Council and House of Representatives that no bills of a public nature shall be introduced after Friday next —

The

~~And the House then adjourned until to-morrow 11 o'clock~~ —

The said resolution was read and Ordered to lie on the table —

~~Counsel~~

A motion was made by Mr Smith that the House do come to the following resolution Viz —

Resolved, That the members of this House do wear crape on the left arm during the remainder of the session as a testimony of respect for the memory of Leonard Covington late a Brigadier General in Army of the United States —

And on the question that the House do agree to the same

It was resolved unanimously in the affirmative —

An Petition of Mrs Patton

Resolved that this House do recede from their disagreement to the 2d Amendment of the Council to the bill intitled An Act to establish a road from Mobile to Buckatanny" —

Ordered that the Clerk of this House

do

do acquaint the Council therewith —

The Bill from the Council intitled "An Act respecting Clerks, Sheriffs and Attorneys Generall" was read the first time and Ordered to be read the Second time on monday next —

On motion made and Leave given Mr Mosse presented a bill to amend and simplify the mode of proceeding in Courts of Justice, which was received and read the first time and Ordered to be read the second time on monday next

The House according to the order of the day resolved itself into a Committee of the whole House on the bill to amend an Act intitled to amend the several laws now in force relative to Strays, and after some time spent therein Mr. Speaker resumed the chair and Mr. Hogg at reported that the Committee had according to Order the said bill under consideration and had made the several amendments thereto which he delivered in at the Clerks table where the same were read and severally concurred in by the House —

On motion of Mr Shutz —

Ordered that the said bill & amendments be referred to a Committee of Messrs Shutz, Hanna & Stuart —

An engrossed bill for dividing Marion County and forming two new Counties by the name of Pike and Laurence was read the third time

Whereupon,

A motion was made by Mr. Rumsey seconded to amend the said bill with a view by striking out the words from the word "ridge" ~~to the word "to"~~ in the 13th line to the word "to" in the 15th line of the first section and for the purpose of inserting the words "twenty seven miles to the middle of the fifth township three west"

A motion was made by Mr. Moore seconded that the said bill be recommitted to a Committee of the whole House immediately for the purpose of amending the ~~said bill~~ same by as before ~~recited~~ stated —

A motion was made by Mr. Stuart to postpone the consideration of said bill till Monday next —

And on the question thereon

It was resolved in the negative —

On motion was then made by Mr. Stuart and seconded that to postpone the

the consideration of said bill until tuesday next.

And on the question being taken thereon

It was resolved in the affirmative —

A Message from the Council by Mr Heughy their secretary — Mr Speaker The Council have passed the bill intitled "An act to change the name of Freeman Ford Graves, unto & them for consideration and then he withdrew —

The House proceeded to consider the resolution submitted by Mr Ellsore on the 15th instant respecting Wm

A motion was made by Mr Studds & seconded to amend the said resolution by striking out the words from the word "That" in the first line of said resolution to the end thereof inclusive and to insert the following "That the Auditor of Public Accounts be requested to lay before this House the amount of the assessments of taxes in each County and the ballancy of taxes, if any there be, due from the several tax Collectors up to the fifteenth day of October last together with a statement of all debts due the Territory at this time and by whom the same are due with such explanatory remarks as to him may appear pertinent" —

And

And on the question being taken thereon

It was resolved in the affirmative

The House proceeds to consider the resolution submitted by Mr Stuart on thursday last for the appointment of a Committee to furnish the Governor with the necessary documents to be transmitted to the President relative to the nomination of the Legislative Council, and the same being read at the Clerks table, was on the question put thereon agreed to by the House

The House according to the Order of the day resolved itself into a committee of the whole House on the bill to promote a knowledge of the laws with persons using only the French language, and after some time spent therein Mr Speaker resumed the Chair and Mr Moore reported that the Committee had according to Order the said bill under consideration and had made several amendments thereto which he delivered in at the Clerks table where the same were read, When

A motion was made by Mr Runnels & Seconded that the House do disagree to the amendment reported by the Committee of the whole House which goes to strike out

act the first Section of the said bill

And on the question being thereon taken
It was determined in the negative { yeas 2 / nays 16

The yeas and nays being called for by Mr Runnells,
Those who voted in the affirmative are,

Messrs. Montgomery
Runnells

Those who voted in the negative are,

Messrs. Baldwin
Cheney
Downs
Hanna
Haggatt
Moore
McVay
McCartney
Patton
Rankin
Regan
Sheldon
Shields
Smith
Stuart
Taylor

On motion of Mr. Regan —

Ordered that the further consideration of said bill be postponed indefinitely —

And the House then adjourned until monday next 10 O'Clock —

Monday January 3rd —

Mr. Shields presented a petition of Davis Grow leaf praying that suitable relief may be afforded him by the Legislature

for

for extraordinary work which a contract for building a bridge over Saint Catharine Creek on the main road leading from Natchez to Franklin old Courthouse, he was had necessarily to put on said bridge in consequence of the unusual falls of rain for the two last years —

The said Petition was read & ordered to be referred to the Committee of Propositions and Grievances —

Mr Sessford from the Committee appointed on the 10th of December last to prepare and report a memorial to the Congress of the United States on the subject of losses sustained by the Citizens of this Territory in consequence of Indian invasions and devastations, which was received and read the first time and ordered to be read the second time tomorrow —

Mr Sessford from the Committee of Claims to whom was referred on the 18th inst of December last the Petition of Amos Burnett made a report which was read whereupon,

Resolved, That, they Cause do agree with the said Committee in their opinion "that the petitioner be allowed the sum of forty five dollars & five"

A motion was made by Mr Smith & seconded that the following be added as an additional rule for the Government of this House —

"At the commencement of each Session it shall be the duty of the Clerk of this House under the direction of the Speaker to procure such books from the Secretary of the Territory as he possess and can spare for the use of the House, and at the end of the Session it shall be the duty of said Clerk under the direction of the Speaker to return the same"

The said rule was read and ordered to lie on the table —

A motion was made by Mr Sapplo & seconded that the House do come to the following resolution,

Resolved, That a Committee be appointed on the part of this House to act jointly with such committee as may be appointed by the Council to enquire into the expediency of preparing and reporting a memorial to Congress praying the passage of a law to extend the jurisdiction of the Judge of Washington District, over that part of West Florida which has been annexed to the Mississippi Territory, for the appointment of an additional Judge for said District and creating a Court of

of appeals within the same —

The said resolution was read & ordered to lie on the table —

On motion made and leave given by the House, Mr Balch presented a bill regulating & preserving the mode of proceeding in Civil Cases, which was received & read the first time, —

On motion of Mr Patton

Ordered that the said bill be passed indefinitely —

On motion of Mr Sappold

Ordered that Amos Burnett have leave to withdraw his accounts No 1 & No 2 which accompanied his Petition —

The resolution in the form of a joint resolution authorizing the Governor to loan or purchase arms for the use of the Territory was read the second time, and ordered to be referred to a Committee of the whole House on thursday next —

A Message from the Council by Mr Hughy their Secretary — Mr Speaker, The Council have passed the bill intitled An Act to amend an Act intitled An Act for the punishment of crimes & misdemeanors — and the Acts amendatory

thereto" — sent to them for concurrence with certain amendments thereto, to which amendments they desire the concurrence of this House, they have also passed a bill entitled "An Act authorizing Warrants of Attorney to confess judgments" to which bill they desire the concurrence of this House — and then he withdrew —

The Bill from the Council entitled "An Act concerning Clerks, Sheriffs and Attorneys Genral was read the second time and Ordered to be referred to a Committee of the whole House on Wednesday next —

The bill from the Council entitled "An Act authorizing warrants of Attorney to confess judgment was read the first time, and Ordered to be read the second time tomorrow

Mr Speaker pointed to the House a letter from the public printer transmitting sixty printed copies of the bills to regulate the several Circuit Courts of this Territory and for creating a Supreme Court of Appeals —

A Message in writing was received from the Governor of the Territory by Mr. Duncan in words following to wit —

Gentlemen

Gentlemen of the House of Representatives

On the 8th of September last Benjamin Shurley was appointed an Agent to receive the body of Simon Tolly, who had been charged upon the oath of David B. Cumming of having committed a felony in the City of Natchez and who had taken refuge within the State of Louisiana — As there is no money appropriated to pay charges of this nature, Mr. Shurley was not promised any specific sum for the service he might render, but was agreed to rely upon the faith of the Territory for a reasonable remuneration. The inclosed documents contain all the information in the possession of the Executive, relative to this business and will develope to the Legislature the merits of the agents Claim.

David Holmes

Town of Washington 3rd Jany 1814

The said message and documents accompanying the same were read, with the account of Benjamin Shurley, and Ordered to be referred to the Committee of ~~Expenditure~~ Claims —

a Message from the Council by Mr. Hughes

Hughes, thier Secretary — all. Speaker the Council have given leave to bring in a bill fixing the the place for holding Courts in Mobile County

They have passed the bill entitled An Act extending the right of suffrage for select men &c — sent to them for concurrence, with an ammendment thereto, to which ammendment they desire the concurrence of this House and then he withdrew —

The House proceeded to consider the ammendment of the Council to the said bill — when

On motion of Mr Shute — the further consideration of said ammendment was postponed until tomorrow —

On Motion of Mr Rankin

The House again resolved itself into a Committee of the whole House on the Memorial to Congress praying an extention of the right of suffrage and after some time spent therein Mr Speaker the resumed the chair & Mr Stuart reported that the Committee has according to order the said memorial again under consideration and had made several ammendments thereto, which he delivered in at the Clerks table where the same were read and when,

On motion was made by Mr Sasfato, seconded to disagree

disagree to disagree to the first amend-
ment reported by the Committee of the
whole House which goes to strike out the
first paragraph of said memorial which
paragraph is as follows —

"That preceding Legislatures of this Territory
"have expressed their anxiety to the Congress
"of the United States to be united with a
"power of forming a constitution or State
"Government — Your Memorialists feeling
"as deeply sensible as their predecessors of
"the imperfections of the Territorial Form of
"Government with a reference to the powers of
"the Executive — the constitution of the
"Legislative body, and the qualifications both
"of the electors and elected, would still
"keep an attention to the subject, and not
"their respect for the national Legislature,
"warn them of the impropriety of manifesting
"their zeal by a troublesome importunity,
"they will therefore merely mention to your
"Honorable body that they coincide with
"the wishes of preceding assemblies and will
"thankfully receive the boon of independ-
"ence when it shall be extended to them
"by the Government of the Union"

And on the question being taken
thereupon

thereupon —

It was resolved in the ~~affirmative~~ negative { yeas 8 / nays 13

The yeas and nays being called for by Mr Scofield,

Those who ~~voted~~ in the affirmative are,

Messrs Baldwin, Carey, Moore, Athey, Mr Gantry, Patton, Scofield, Smith

Those who voted in the negative are,

Messrs Balch, Dawes, Grandfield, Hanna, Hinds, Hoggatt, Montgomery, Rankin, Rummell, Regan, Thulas, Snodgrass, Stuart —

A motion was made by Mr Stuart & seconded to postpone the further consideration of said memorial and amendments until the first monday in November next —

And on the question being taken thereon

It was ~~resolved in the~~ determined in the negative — yeas 2 / nay 18

The yeas & nays being called for by Mr Moore

Those who voted in the affirmative are,

Messrs Regan, Stuart, Thore

Those who voted in the negative are

Mess^rs. Baldwin
Chamy
Causey
Greenleaf
Hamer
Hinds
Hoggatt
Moore
Montgomery

Mess^rs. McKay
McGuffey
Patton
Rankin
Rumsey
Sessford
Smith
Shields
Snodgrass

The two ~~three~~ second ~~third~~ & fourth ammendments reported by the Committee of the whole House were severally read and on the question put severally thereupon agreed to by the House—

The said Memorial as ammended is as followeth—

To the Honorable the Senate and House of Representatives of the United States of America in Congress assembled; The memorial of the House of Representatives of the Mississippee Territory respectfully sheweth: That your memorialists in behalf of their constituents, inhabitants of the Mississippi Territory respectfully pray that while it may be deemed expedient by your honorable body to withhold from us the privileges of self Government an alteration, mitigating the burthens of a Territorial Government may be made

in that part of the act of congress which requires the possession of a freehold, or of a town Lot of the value of One hundred dollars as a qualification entitling a Citizen to vote; and that hereafter, all free White Males of Twenty One Years of age and upwards and who shall have resided in the Territory twelve months; or who may have been assessed at least three months previous to the election and who shall reside in the County at the time, shall be permitted to vote at elections for members of the House of Representatives and a Delegate to Congress. —

They solicit this important amendment of the existing constitutional Laws for the following reasons

1. The disqualifications of all but Landholders does not seem strictly compatible with republican principales. The Laws are made for the common good. They operate alike upon all. The life the liberty and the properly of every man is affected by them. Every man therefore ought to have an Agency in their formations. The principles of the union of taxation and Representation was one of the leading points on which the revolutionary contest was founded; and it surely ought not to be lost sight of where ever it can apply. —

2. The situation of this country does not admit of the application of the principles that Landholders only have that interest which will secure a judicious choice of representatives. —

in old countries landed property is more permanent and secures a stronger interest than in new countries. Those associations of ideas which are formed in early life, attach the owner to his farm, and to every thing connected with it. A new settlement does not admit of attachments equally strong. Landed property is also more a subject of traffic than in old countries. It is transferred as frequently as personal property. That peculiar and settled interest which is presumed when the right of Election is confined to Landholders does not really exist. The man who has a large stock of Cattle, or a considerable property in Slaves, has surely more interest in the country in which they are located, than the man owns fifty acres of Land which may not be worth as many cents and are very probably not worth more than One hundred Dollars.

3. Men who are able to purchase Land, who came to the Territory with that view and continue here with the same view; have not in many cases had an opportunity. In some of our counties no land has yet been sold. Many who are able to purchase have fixed their mind on particular spots which have not yet been exposed to public sale.

their object is an establishment for life: and they pass into [illegible] their interest in the country and their [illegible] as those who have been more fortunate.

4. The existing system has produced a most preposterous inequality of representation. The Ordinance provides that for every 500 free male inhabitants, there shall be one representative in the general assembly. This has been so construed as to give a distinct representation to every County that has that number. In some Counties the qualified voters are extremely few. In one case their number did not exceed thirteen. In another case it does not exceed fifteen. Seven men therefore in one part of the Territory have as much weight in enacting the Laws for its Government as five hundred in another.

5. The present system is a source of intrigue and Corruption, subversive of the rights of the people and of the principles of morality. It opens a wide door to fraud. Where man as man has an agency in making the Laws, there will be no disputes about qualifications. Where his right to vote depends on Grades of property; titles framed for

for that occasion will be brought forward: and as much, must necessarily be left to the discretion of the Judges of an election there is too great a field not only for honest misconception, but for base partiality. The provision authorising Voters on Town Lots, though liberally intended has magnified the evil. If a Town in the words be laid off and established, the owner of a Lot worth nominally One hundred dollars obtains a Vote, whilst his neighbour though possessing Acres and Acres of the Value of ten Thousand, is deprived of the right of suffrage.

6. In an Election of a Delegate to the Congress of the United States no certain Conclusion can be drawn of the real will even of the Qualified electors, from the results of the Polls. In some Cases by inconsequence of the misconception of the Judges of Elections of their own powers, all Citizens are suffered to Vote. In others they are rigid in enforcing the qualifications required by Law. In a Country so extensive as this Misconception & Irregularity it would be absurd

impossible to rectify the errors which must be produced by this discordant mode of proceeding Your Memorialist therefore respectfully solicits your honorable body to take the subject into your serious consideration, and to extend to the people of the Mississipia Territory that right of general suffrage which is so dear to freemen and so truly Correspondent with the principles of Republicanism. n

On Motion

Ordered that the said memorial as amended be engrossed and read the third time tomorrow. And the House then adjourned until tomorrow morning 10 O'Clock

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## Tuesday January 4th

Mr. Speaker ~~presented to the House a letter~~ from Samuel Smith ~~of~~ a Member of this House addressed to him, stating that he attended in the vicinity of this place 21 days ~~on~~ previous to the meeting of the present General Assembly not knowing of the prorogation of the same until after his arrival — & submitting his case to the justice of this House for relief

The said letter was read and Ordered to lie on the table —

On motion made & leave given by the House Mr. Taylor from the Committee ~~appointed~~ to whom was referred on the 29th Ultimo the Petition of Rachil Reed a free woman of Colour presented a bill authorizing Rachel Reed a free woman of colour to marry Sur son Jamy, which was received and read the first time and Ordered to be read the second time tomorrow

On ettotion made & leave given by the House Mr. Taylor from the same Committee to whom was referred at the same time the Petition of Walter Irwin Executor of the last will & testament of Jamy McCartney reported a bill confirming certain Negroes & mulattoes late the property of Jamy McCary in their freedom & for other purposes which was received and read the first time and Ordered to be read the second time tomorrow

On motion made and leave given by the House, Mr. Taylor from the same Committee to whom was referred at the same time the Petition of Adam a negro man reported a bill to ~~incorporate~~ incorporate

which was received and read the first time and Ordered to be read the second time tomorrow

Mr Shultz, from the joint Committee for enrolled bills reported that the Committee had examined the following enrolled bills towit

"An Act to authorize Lascals Blakely to lay out a Town, on the east side of Mobile Bay"—

"An Act for the relief of certain persons therein named"

"An Act to change the name of Truman Horace Graves"—

"An Act to change the place of holding elections in Warren County"—

An Act to establish a road from Mobile to Buckatunny"—

An Act for the relief & sale of the real estate of William Gordon Forman an a credit of three annual instalments"—

And "An Act to authorize the administrators of Samuel Bridges deceased to sell a certain tract of land therein named"—

And had found the same to be truly enrolled — Whereupon

Mr. Speaker signed the said enrolled bills —

Ordered

Ordered that the Clerk of this House do acquaint the Council thereuth —

Mr Balch from the Committee to whom was referred the bill authorizing the several Courts of Justices of Mobile County to be held in the Town of Mobile until the public buildings shall be erected in said County & be ready for their reception and for the Alteration of Terms of Court in certain Counties — reported an amendatory bill thereto which was received and read the first time and Ordered to be read the second time tomorrow —

On motion of Mr Balch,

Ordered that the Committee of Prosecution and Grievancy be discharged from the consideration of the Petition of Robert Lucas and that the same be referred to the Committee of Claims —

On motion made and leave given by the House Mr Balch from the Committee of Prosecution Grievancy to whom was referred on the 29th ult. the Petition of the Executors of Joseph Parnell deceased, reported a bill to authorize the Executors of Joseph Parnell deceased

deceased to sell the real estate of the Testator which was received and read the first time and Ordered to be read the second time tomorrow —

Mr Balch from the same Committee to whom was referred the Petition of David Hale made a report thereon which was read and the Resolution contained therein concurred in by the House as follows

"Resolved that the prayer of the said Petition is unreasonable & ought not to be granted" —

On motion made and leave given by the House Mr Balch from the same Committee to whom was referred the Petition of William Mann reported a bill for the relief of William Mann which was received and read the first time and Ordered to be read the second time on Thursday next —

Mr Stuart from the Committee to whom was referred the bill concerning roads & highways reported certain amendments thereto, which was read and Ordered to be referred to a Committee of the whole House tomorrow

The House proceeded to consider the motion of Mr Smith submitted to the House on yesterday

yesterday for adding a rule to the standing Rules & Orders of this House, When a motion was made by Mr. Smith to amend the same by prefixing the following words to the beginning of said rule "Resolved that the following be added to the standing Rules and Orders of the House" —

And on the question thereupon

It was resolved in the Affirmative

A motion was made by Mr. Rankin Seconded further to amend the said rule by inserting the word "Office" before the word "books" & to strike out the words "under the direction of the Speaker"

And on the question being taken thereon

It was resolved in the Affirmative

The said rule was then read as amended at the Clerks table and adopted by the House —

Mr. Elmore from the Committee appointed on that part of the Governors Speech as relates to the Militia to whom was referred the bill from the Council entitled "An Act to reduce into one and Amend the several Militia Laws of this Territory reported

reported certain amendments thereto, which were twice read and ordered to be engrossed to the Committee of the whole House tomorrow

Mr Taylor presented a petition of sundry freeholders Electors of this Territory, praying for certain reasons therein mentioned that they may be partially exempted from electing duty —

The said Petition was read & ordered to the Committee of the whole House last mentioned —

A Message from the Council by Mr Hughes their Secretary — Mr Speaker the Council have given leave to bring in a bill explanatory of the Act, entitled an Act to establish a Bank in the Chapel for this Territory and them Le withdrawn —

On motion of Mr Rumsey

Resolved The House resolved itself into a Committee of the whole House on the Engrossed bill for dividing Calhoun County by the name of Pike & Lawrence and after some time spent therein Mr Speaker resumed the Chair & Mr Gruelle reported that the Committee had

had accordingly to order the said bill under consideration and had made an amendment thereto which he delivered in at the Clerks table where the same was read & concurred in by the House —

On motion of Mr Rankin

Ordered that the said Bill & amendment be postponed until the 1st monday in November next —

The House proceeded to consider the Amendment reported by the Committee of the whole House to the bill intituled "An Act concerning the Clerks of Courts & to reduce into One the several laws regulating Offices & fees and more particularly to define the same" and the same being read were upon the question severally put thereon concurred in by the House —

The said bill was further amended at the Clerks table and Ordered to be engrossed & read the third time tomorrow

The House proceeded to consider the Resolution submitted by Mr Safford on yesterday and the same being modified by the mover to read in the following words

Resolved that a Committee be appointed on the part of this House to act jointly with such Committee as may be appointed by the Council to inquire into the expediency of preparing and reporting a memorial to Congress praying the passage of a law to extend the jurisdiction of the Judge of Washington District over that part of West Florida which has been annexed to the Alleghanie Territory for the appointment of an additional Judge for said District and creating a Court of Error & appeals within the same —"

Was upon the question put thereupon agreed to by the House —

And a Committee of five? Safford, Rankin & Hinds was appointed on the part of this House pursuant to said resolution —

Ordered that the Clerk of this House do acquaint the Council therewith —

a Message from the Council by Mr. Houghton Secretary

Mr. Speaker The Council have appointed Mr. Ware on their Part to act jointly with the Committee appointed by the House of Representatives on the Subject of a Memorial to Congress praying the Passage of Law to extend the jurisdiction of the Judge of Washington District &c The Council have given leave to bring in a resolution relative to a Digest of the Laws of this Territory and then Le withdrew

and the House then adjourned until tomorrow morning 10. O'Clock

Wednesday January 5th

Mr. Taylor presented a Petition of Giles Hardin praying that a Law may be passed authorizing him to manumit a certain negro Slave therein named

The said Petition was read & Ordered to be

be referred to a Committee of Mess^rs Taylor, Moore & Rankin —

Mr. Rankin from the Committee to whom was referred the bill from the Council entitled "An Act to amend an Act entitled an Act prescribing a summary mode for the trial of Slaves" reported certain Amendments thereto which were received and read the first time & Ordered to be read the second time tomorrow —

The bill for the relief of the several Tax Collectors of this Territory was read the second time and Ordered to be referred to a Committee of the whole House immediately —

The House accordingly resolved itself a Committee of the whole House on said bill and after some time spent therein Mr. Speaker resumed the chair and Mr Hamma reported that the Committee had according to order the said bill under consideration and had made several amendments thereto which he delivered in at the Clerks table where the same were read and severally concurred in by the House —

Ord The said bill was further amended

at

at the Clerks' table and ordered to lie on the table

The House according to the order of the day resolved itself into a Committee of the whole on House on the bill to regulate the several Courts of this Territory and to create a Supreme Court of Appeals, and after some time spent therein Mr. Speaker resumed the chair & Mr Snodgrass reported that the Committee had according to Order the said bill under consideration and had made some progress therein and had directed him to ask for leave to sit again —

And on the question that the House again resolve itself into a Committee of the whole House on the said bill

It was determined in the negative.

Mr Taylor gave notice to the House that he would move tomorrow for leave to bring in a bill directing that the next Session of the General Assembly shall be held in the City of Natchez —

A message from the Council by Mr. Hughes their Secretary ~

Mr. Speaker.

The Council have Passed a Resolution relative to a digest of the Laws of this Territory to which they desire the concurrence of the House of Representatives. ~ And then he withdrew. ~ And the House then adjourned until tomorrow morning 10, O'Clock

## Thursday January 6th

M. Shultz presented a Petition ~~signed by~~ of Elijah Smith and others merchants praying that one years further indulgence upon dutys which became due on the 1st day of March 1814 and 1815 may be given or such other relief to the dutors as may be necessary

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Mr. Speaker has presented to the House sundry Petitions signed by a number of the inhabitants of the County of Adams praying for certain reasons therein mentioned, that the Legislature will interpose their authority in behalf of the dutors of the Territory and extend them such relief as may be proper

Mr. Regan presents two petitions from sundry inhabitants of the County of Claiborne to the same purpose —

Mr Dawney presents a Petition of sundry inhabitants of the County of Warren to the same purpose —

The said Petitions were read and ordered to be severally referred to a committee of eleven? Messrs, Dawney & Hodges with leave to report by bill or otherwise —

Mr. Shultz from the Committee to whom was referred the bill to amend an Act entitled an Act to amend the several laws now in force relative to strays, reports certain amendments thereto which were severally read & concurred in by the House —

On motion

Ordered that the said bill be engrossed & read the third tomorrow with the amendments —

On motion made & leave given by the House Mr. Taylor presents in behalf of sundry citizens of Prince the Committee to whom

may

was referred the Petition of Giles Harden presented
a bill confirming the manumission of Edmund
a Mulatto Boy which was received & read
the first time and Ordered to be read the
second time tomorrow

An Engrossed bill ammendatory of the Act
concerning Clerks of Courts and to reduce into
one the several laws regulating Offices for
and more particularly to define the same
was read the third time —

Resolved that the said bill do pass and
that the title be "an Act ammendatory of
the Act concerning Clerks of Courts and to
reduce into one the several laws regulating
Offices for and more particularly to define
the same" —

Ordered that the Clerk of this House do
~~request~~ carry the said bill to the Council
and desire their concurrence —

An motion made and leave given by
the House M. Taylor presented a bill
directing the next Session of the General
Assembly shall be held at the City of
Natchez which was received & read the
first time and Ordered to be read the
second

second time tomorrow —

A Message from the Council by Mr. Hughes their Secretary — Mr Speaker — The Council have given leave [illegible] to bring in a bill to extend the jurisdiction of Justices of the Peace

They have passed a bill intitled "An act to explain the act entitled "An act to establish a Bank in the Mississippi Territory" to which bill they desire the concurrence of this House

On motion made and leave given by the House Mr. Rumsey presented a bill to establish two election districts in Hancock County which was received and read the first time and Ordered to be read the second time tomorrow —

The bill to amend the several Acts relative to the public printing was read the second time and Ordered to be referred to a Committee of Messrs. Moore, Shultz, Stream-leaf —

"The House according to the Order of the day resolved itself into a Committee of the whole House on the bill from

the Council entitled An Act to amend & reduce into one the several [redacted] Laws of this Territory and after some time spent therein Mr Speaker resumed the chair & Mr. Hatch reported that the Committee had according to order the said bill under consideration and had some progress therein and had directed him to ask for leave to sit again —

On motion

Resolved that this House will again resolve itself into a Committee of the whole House on the said bill —

A Message was received from the Governor of this Territory by Mr Dangerfield his private Secretary notifying that he did this day approve and sign the following Acts which originated in this House towit

An Act to authorize Josiah Blakely to lay out a Town on the east side of Mobile Bay" —

An Act for the sale of the real estate of William Gordon Forman deceased and a credit of three annual instalments —

An Act to establish a road from Mobile

Absolute to Buckhannon

An Act to change the place of Voting elections in Warren County

An Act for the relief of certain persons therein named"

And "An Act to change the name of Freeman Ford Gravy"

Ordered that the Clerk of this House do acquaint the Council therewith

And the House then adjourned until half after 3. A Clock this afternoon

half after 3. A Clock Thursday Jany 6th

On motion of Mr Patton

The House again resolved itself into a Committee of the whole House on the bill from the Council to amend and reduce into one the several statutes Laws of this Territory and after some time spent therein Mr Speaker resumed the chair & Mr Hanna reported that the Committee had according to Order the said bill again under consideration and had made several Amendments

Ferris

thereto which he delivered in at the Clerks table,

On motion

Ordered that the consideration of said report be postponed until tomorrow

An engrossed resolution in the form of a joint resolution of both Houses, making an appropriation for the purpose of purchasing a sword to be presented to Maj: General Andrew Jackson, was read the third time — w

On motion of Mr Rankin

Ordered that the said Resolution be referred to a Committee of the whole House immediately —

The House accordingly resolved itself into a Committee of the whole House on the said engrossed resolution and after some time spent therein Mr. Speaker resumed the chair & Mr. Montgomery reported that the Committee had according to order the said engrossed resolution under consideration and had made an amendment thereto which he delivered in at the Clerks table where the same was twice read and concurred in by the House

On motion of Mr Shultz

Ordered that the said bill be engrossed with the amendment & read the third time tomorrow

Mr Chany gave notice to the House that he would, tomorrow for leave to bring in a bill for the relief of Jarvis

And the House then adjourned until tomorrow morning 10 o'clock—

Friday January 7th

Mr Saylor presented a Petition of Jonathan Powell Goaler of Adams Connty praying an allowance of his account accompanying the same—

The said Petition was read & Ordered to be referred to the Committee of Claims—

Mr Speaker presented to the House a letter from the Auditor of Public accounts transmitting his report in compliance with the resolution of the House of the first instant—

The said report was read & Ordered to be referred to the Committee of Accounts

Mr Safford from the Committee of Claims to whom was referred the Communication of the Governor of the third instant on the subject of the Claim of Benjamin Shultz

made a report thereon which was read & the resolution contained therein concurred in by the House as follows —

"Resolved that the said Claim is unreasonable and ought not to be allowed" —

Mr Safford from the same Committee made a report on the Petition of Charles S. Cosby which was read and the resolution contained therein concurred in by the House as follows —

Resolved that the said and Ordered to lie on the table —

Mr Safford from the same Committee made a report on the Petition of John Safford which was read and ordered to lie on the table —

Mr Safford from the same Committee to whom was referred the Petition of James Patton a member of this House which was read and the resolution contained therein concurred in by the House as follows —

Resolved that James Patton ought to be allowed the sum of Twenty dollars —

Mr Moore from the Committee to whom was referred the Bill to amend the several Acts relative to the Public printing,

reported an amendatory bill thereto which was received and read the first time,

On motion the said bill was read the second time and Ordered to be engrossed & read the third time tomorrow —

The House proceeded to consider the bill to regulate the several Courts of this Territory and to create a Court of Appeals

The amendments reported by the Committee of the whole House to the said bill was then severally read and on the question being taken thereupon was in part concurred in and in part disagreed to by the House —

The said bill was then further amended at the Clerks table and ordered to be engrossed with the amendments and read the third time tomorrow —

The House proceeded to consider the bill from the Council entitled "An Act to reduce into one and amend the several statutes laws of this Territory" —

The amendments reported by the Committee

mittee of the whole House to the said bill were
then read at the Clerks table ~~and upon the~~ and on the question being severally put thereon ~~are reported to the House~~
upon concurred in by the House
And the House adjourned until 3. O'clock
this afternoon ——

3. O'clock P.M. Friday January 7th

The House resumed the consideration of the
bill from the Council intitled an act to
amend and reduce into one ~~the several~~ the several statutes laws of this Territory
When ~~—~~
The amendments reported by the
Committee of the whole House to the
said bill were severally concurred
in by the House
~~The said bill as thus further amended~~
~~at the Clerks table~~

A motion made by Mr. Posey & seconded
to amend the said bill by striking out the
21st Section ~~of said bill~~
And on the question thereupon
It was resolved in the ~~affirmative~~ negative
~~the yeas & nays being called~~ for by Mr Rankin Yeas 15 Nays 15
Those who voted in the affirmative are
Mess^rs Moore
McVay
Mess^rs Posey
Rankin

Those who voted in the negative are

Mess^rs Balch
Batowne
Chaney
Greenleaf
Hinds
Hoggatt
Montgomery
McCartney

Mess^rs Patton
~~Bromby~~
Regan
Lassell
Shute
Snodgrass
Taylor

The said bill was further amended at the Clerk's table and Ordered to be read the third time tomorrow —

On motion

Ordered that Mr^r Stuart of Hamin have leave of absence until tuesday next 10 O'clock —

On motion

Ordered that Mr Dorsey have leave of absence for this evening —

The bill to establish two election districts in Hancock County, was read the second time, and amended, and Ordered to be engrossed with the amendment and read the third time tomorrow —

A Memorial to be addressed to Congress praying relief for injuries sustained by the Creek War was read the second time when

On motion of Mr Hardy

Ordered that the said Memorial be postponed indefinitely —

and the House then adjourned until tomorrow morning 10 O'Clock

A Message from the Council by Mr Hughes their Secretary — Mr. Speaker I am directed to inform this House that the Governor did on yesterday approve and sign

"An act to authorize the administrators of Samuel Bridges deceased to sell a certain tract of land therein named"

And then he withdrew

And the House adjourned until tomorrow morning 10. O'Clock —

Saturday January 8th

The bill from the Council entitled an Act to amend an act entitled an Act prescribing a summary mode for the trial of

of Slaves was read the second time with the amendments and ordered to be read the third time tomorrow —

The Resolution from the Council relative to a Digest of the Laws of this Territory, was read the first time & ordered to be read the second time on monday next —

The Bill from the Council entitled An Act to explain the Act entitled An Act to establish a Bank in the Mississippi Territory, was read the first time & ordered to be read the second time on monday next

An Engrossed bill to amend the several Acts relative to the public printing was read the third time —

Resolved that the said bill do pass and that the title be "An Act to amend the several Laws relative to the public printing" —

Ord that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

The House according to the order of the day resolved itself into a Committee of the whole House on the bill from the Council entitled An Act respecting Clerks, Sheriffs and Attorneys General" and after some time spent therein Mr Speaker resumed the chair and Mr Bennett reported that the Committee had according to order had the said bill under consideration and had made several amendments thereto which were read and severally concurred in by the House.

On motion
The said bill was read the third time as amended—

And on the question that the said bill do pass

It was determined in the negative

Ordered that the Clerk of this House do acquaint Council therewith

A Message from the Council by Mr Hughes their Secretary— Mr Speaker— The Council have passed the bill entitled "An Act to amend the several Acts relative to the public printing. Also the bill entitled An Act concerning Clerks of Courts and to reduce into one the several laws regulating Officers fees & more particularly to authorize the same," which

which bills were sent to them for con
currence — and then he withdrew —

An motion made and leave given by the
House Mr Sands from the Committee to
whom was referred on the 6th instant, the
several Petitions of Elijah Smith & others
merchants, and sundry inhabitants of the
County of Adams Jefferson, Clarkson &
Warren, reported a bill regulating Judicial
proceedings as relate to judgments and
Executions, which was received and read the
first time and ordered to be read the second
time on Tuesday next —

The House proceeded to consider the amend-
ments of the Council to the bill intitled
An act to amend an act entitled An act
for the punishment of crimes & misdemeanors
and the Acts ammendatory thereto, which were
severally read at the Clerk's table and on the
question thereupon, disagreed to by the House

Ordered that the Clerk of this House
do acquaint the Council therewith

The bill directing in what manner distillers of spirituous liquors may dispose of the same was read the second time and ordered to be ~~engrossed and~~ referred to a Committee of the whole House on monday next —

The bill to amend and simplify the mode of proceedings ~~to be observed~~ in Courts of Justice was read the ~~third~~ second time

And ordered to be referred to a Committee of the whole House on monday next —

An engrossed bill to establish two election districts in Hancock County was read the third time —

Resolved that the said bill do pass & that the title be an act to establish two election districts in Hancock County

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

A Message from the Council by Mr Gregory their Secretary Mr Speaker The Council insist on their amendments to the bill intitled An act to amend and

an

An Act for the punishment of crimes and misdemeanors and the duty amendatory thereto, and then he withdrew —

Mr Rankin gave notice to the House that he would move to-morrow for leave to bring in a bill authorizing the Circuit Treasurer to pay over certain money to the County Treasurer of Amite County — Also a bill appointing commissioners for the purposes therein mentioned —

The House according to the Order of the day resolved itself into a Committee of the whole House on the bill to establish two election districts in Franklin County and for other purposes and after some time spent therein Mr. Speaker resumed the chair & Mr. McCartney reported that the committee had according to Order the said bill under consideration and had made an amendment thereto which he delivered in at the Clerks table where the same was read and concurred in by the House

An

On motion —

Ordered that the said bill with the amendment be engrossed and read the third time on monday next —

On motion

Ordered that Mr Hendry have leave of absence from the service of this House until tuesday next the 10. Oclock —

The House proceeded to consider the bill for the relief of the several Tax Collectors of this Territory —

The Ammendments reported by the Committee of the whole House to the said bill were then read at the Clerks table and on the question severally put thereon concurred in by the House —

Ordered that the said bill with the amendments be engrossed and read the third time on monday next —

And the House then adjourned until monday next 10. Oclock —

Monday January 10th

The House proceeded to consider the report of the Council of Saturday last relative to the disagreeing vote of the two Houses on the amendments to the bill entitled an act to amend the act entitled an act for the punishment of crimes & misdemeanors and the act amendatory thereto, whereupon —

Resolved that this House do insist on their disagreement to said Amendments —

On motion of Mr Shirley —

Resolved that a conference be desired by the Council on the subject matter thereof and that Messrs Shirley & Ellery be at the said conference on the part of this House —

Ordered that the Clerk of this House do acquaint the Council therewith

On motion made and leave given by the House, Mr Bartlett presented a bill authorizing the Treasurer

Treasurer

Treasurer to pay sundry certain sums to the County Treasurer of Arriete County — Also a bill appointing Commissioners for the purposes therein mentioned — which said bills were received and read the first time and ordered to be read the second time tomorrow —

The bill from the Council entitled an Act to amend and reduce into one the several Militia laws of this Territory, was read the third time with the amendments —

And on the question that the said bill do pass

It was resolved in the affirmative

Ordered that the Clerk of this House do acquaint the Council therewith

The House according to the order of the day resolved itself into a Committee of the whole House on the joint resolution to loan or purchase Arms for the use of the Militia of the Territory and after some time spent therein the Speaker resumed the chair & Mr Snodgrass reported that the Committee had according to order the said resolution under consideration and had made several

amendments

ammaments thereto which be delivered in at the Clerks table where the same were read & severally concurred in by the House — Whereon,

On motion of Mr Snodgrass

Ordered that the said resolution do lie on the table —

The House according to the Order of the day resolved itself into a Committee of the whole House on the bill to amend & simplify the mode of proceeding in Courts of Justice and after some time spent therein Mr Speaker resumed the chair and Mr. Chaney reported that the Committee had according to order the said bill under consideration and had made some progress therein & had directed him to ask for leave to sit again —

And on the question that the said Committee have leave to sit again

It was determined in the negative

On motion, Ordered of Mr Moore or dered that the said bill be postponed until the first monday in November next

Mr. Taylor gave notice to the House that he would move tomorrow for leave to bring in a bill allowing compensation to the Justices of the Quorum for their services —

An engrossed bill to regulate the several Courts of this Territory and to create a Supreme Court of Appeals was read the third time

Resolved that the said bill do pass and that the title be An Act to regulate the several Courts of this Territory and to create a Supreme Court of Errors and Appeals" —

Ordered That the Clerk of this House do carry the said bill to the Council & desire their concurrence —

And the House then adjourned until 3. Oclock this afternoon —

3. Oclock P.M. Monday January 10th —

On motion made and leave given by the House Mr. Chaney presented a bill for the relief of Jurors — which was received and read the first time and ordered to be read the second time tomorrow —

The engrossed bill to amend the Act entitled An Act to amend the several laws

and

now in force relative to Strays was read the third time —

Resolved that the said bill to bill do pass and that the title be an Act to amend the Act entitled An Act to amend the several Laws relative to Strays" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

An engrossed bill ~~Entitled an Act~~ for the relief of the several Tax Collectors of the Territory was read the third time

When a motion was made by Mr Rankin to amend the said bill by way of rider by inserting after the word provided in the first Section the following "whenever it may satisfactorily appear to the Auditor of Public Accounts that they have from unforseen necessity been prevented from making their collections in due time"

And on the question being taken thereon It was determined in the negative { Yeas 2 Nays 14

The

The yeas and nays being called for by Mr Rankin

Those who voted in the affirmative are,

Mr. Hoggatt — Mr. Rankin

Those who voted in the negative are

Messrs. Baleh — Messrs. Hemmelly
Lowry — Regan
Moore — Lasseter
Montgomery — Hulse
Mc Kay — Smith
Patton — Snodgrass
Perry — Taylor

The question was then taken that the said bill do pass —

& resolved in the affirmative

Resolved that the bill be an act for the relief of the several tax collectors of this Territory" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence

The Bill to authorize the Executors of Joseph Parmell deceased to sell the real estate of their Testator, was read the second time & ordered to be engrossed

L

& read the third time tomorrow

The bill from the Council to amend
An Act entitled An Act prescribing a
Summary mode for the trial of Slaves
was read the third time with the Amend-
ments

And on the question that the said
bill do pass

It was resolved in the affirmative

Ordered that the Clerk of this House do
acquaint the Council therewith —

The Bill for raising for the govern-
ment of the Town of Attakile was
read the second time and ordered to
be engrossed and read the third time
tomorrow —

The bill for changing the place of holding
Courts in Attakile County was read the
second time and ordered to be Engrossed
and read the third time tomorrow —

The Bill from the Council entitled
An Act to explain the Act entitled

An

(an Act to establish a Bank in the altered of Jersey" was read the second time, and Amended — And Ordered to be read the third time tomorrow —

The bill to repeal the several Acts & parts and parts of Acts therein named and for other purposes was read the second time & Ordered to be referred to a Committee of the whole House tomorrow —

The bill for the relief of William Mann was read the second time and Ordered to be referred to a committee of the whole House tomorrow

A Message from the Council by Mr Hughes their Secretary — Mr Speaker — The Council have passed the bill entitled "An Act to amend An Act to Amend the several Laws now in force relative Strays" to sent to them for concurrence with Ammendments, to which Ammendments they desire the concurrence of this House — They have passed the bill entitled "An Act to establish two election districts in Hancock County, which was sent to them for concurrence — They have agreed to the Ammendments of this House

to

to bill intitled An Act to amend & reduce into one the several statutes laws of this Territory" except the 1st 6th 14th 22d 30th 32nd 35th & 40th to which they disagree

They have on their part appointed their Managers with the managers appointed by this House on the subject matter of said amendments and disagreements subsisting between the two Houses to the bill intitled An Act to amend an Act entitled An Act for the punishment of crimes and misdemeanors and the Acts amendatory thereto" They have agreed to the Amendments proposed by this House to the second & fourth sections of the bill entitled An Act to amend an Act entitled An Act prescribing a summary mode for the trial of Slaves" & have disagreed to the Amendments made to the first section of said bill, and then he recited

The motion Resolved that this House insist on their amendments disagreed to by the Council to the bill intitled An Act to reduce into one & amend the several

Militia laws of this Territory and that they
recede from the 40th of said amendments

Resolved that a conference be desired
with the Council on the subject matter
thereof and that Mr. Allison, Patterson & Hunt
be at the said conference on the part of
this House —

Ordered that the Clerk of this House
do acquaint the Council therewith

And the House then adjourned until
tomorrow morning 10. O'Clock

## Tuesday January 11th

Mr. Moore presented a Petition of James & Matthews
and Elizabeth his wife, praying for certain reasons
therein mentioned that the public road now running
thro' their land may be removed off of the same
or that they may receive such remuneration for
the injury they sustain thereby as may be just
& reasonable —

The said Petition was read and Ordered to
be referred to a Committee of Mess.rs Moore
Prentiss, & Snodgrass —

Mr Chaney presented a Petition of Robert
Witherspoon

Witherspoon, administrator of the estate of Jonny Cain deceased, praying an act to authorize the sale of the real estate of his Testator on a credit of two and three years —

The said Petition was read and ordered to be referred to the Committee of Propositions & Grievances —

Mr Taylor presented a Petition of Thomas B. Reed late Clerk of this House, praying an Allowance for copying the journal thereof at the last Session and for attending this Session one day before a new Clerk was appointed

The said Petition was read and ordered to be referred to the Committee of Claims —

On motion of Mr. Shirley —

Ordered that the Committee of Accounts be discharged from the consideration of the Petition of Peter Isler and that the same be referred to the Committee of Claims —

Mr Taylor from the Committee appointed on that part of the Governors Speech which relates to the Judiciary, to whom was referred the Bill from the Council entitled

entitled An Act to amend the Attachment Laws reported several amendments thereto which were read and severally concurred in by the House

On motion

Ordered That the said bill with the amendments be read the third time tomorrow

Mr Shultz gave notice to the House that he would move tomorrow to dispence with the 28th rule for the government of this House for the purpose of obtaining a reconsideration of the vote of this House given on the Claim of Benjamin Shultz the 7th instant —

Mr Dafflot from the joint Committee appointed to enquire into the expediency of preparing a Memorial to Congress praying the passage of a law to extend the jurisdiction of the Judge of Washington district and for the appointment of an additional Judge and creating a Court of error & appeals within the same, reported a memorial pursuant thereto which was received and read the first time & Ordered to be read the second time tomorrow —

On motion made and leave given by the

House

House Mr Shultz presented a bill concerning the Goal of Adams County, which was received and read the first time —

On motion, the said bill was read the second time and ordered to be referred to a Committee of the whole House tomorrow —

On motion made and leave given by the House Mr Baldwin presented a bill for the relief of the County of Baldwin and Clarke — which was received and read the first time and ordered to be read the second time tomorrow —

On motion made and leave given by the House — Mr Taylor presented a bill allowing compensation to the Justices of the Quorum for their services, which was received and read the first time and ordered to be read the second time tomorrow —

A Message from the Council by Mr Hughy Mr Hughy their Secretary — Mr Speaker The Council have appointed Mr Ware & Mr McCalb managers on their part to confer with the managers appointed by this House

on

on the subject matter of Amendments & disagreeing
to the bill entitled An Act to amend and reduce
into one the several statutes Laws of this Territory
and then he withdrew —

On motion Resolved that this House do
insist on their amendments disagreed to by
the Council to the bill entitled An Act to
amend "An Act prescribing a summary mode
for the trial of Slaves" except the 2nd 4th &
amendments from which they recede —

On motion —
Resolved that a conference be
desired with the Council on the subject
matter thereof and that Messrs. Rankin, Hamm
& Hoggatt be appointed Managers at the said
conference on the part of this House

The House proceeded to consider the amend-
ments proposed by the Council to the bill
entitled An Act to amend an Act entitled
An Act to amend the several Laws now
in force relative to Slaves — which were
then read at the Clerk's table & concurred in by
the House —

Ordered that the Clerk of this House

do acquaint the Council therewith —

The bill ~~from the~~ to appoint certain Commissioners for the purposes therein mentioned was read the second time and Ordered to be referred to a Committee of Messrs Montgomery, Randon & Posey —

The joint resolution from the Council relative to a digest of the laws of this Territory was read the second and Ordered to be referred to a Committee of the whole House tomorrow —

The Bill from the Council entitled an Act authorizing warrants of Attorney to confess judgment," was read the second time and Ordered to be referred to a Committee of the whole House tomorrow —

The House according to the Order of the day resolved itself into a Committee of the whole House on the bill for the relief of William Mann and after some time spent therein the Speaker resumed the chair & Mr Rey on reported that the Committee had accor

= ding

day to Order the said bill under consideration and had directed him to report the same to the House without amendment —

On motion

Ordered that the said bill be engrossed and read the third time tomorrow

An engrossed Memorial ~~resolution~~ to be addressed to Congress praying the extention of the right of suffrage — was read the third time

And on the question that the same do pass —

It was resolved in the affirmative —

Ordered that the Clerk of this House do carry the said ~~bill~~ Memorial to the Council & desire their concurrence —

~~The bill~~

An Engrossed bill to change the place of holding the several Courts of Mobile County was read the third time —

Resolved that the said bill do pass and that the title be An act to change the place of holding the several Courts of Mobile County" —

Ordered

Ordered that the Clerk of this House do carry the said bill to the Council and desire their concurrence —

Mr Hines appeared and took his seat —

The House according to the order of the day resolved itself into a Committee of the whole House on the bill to repeal certain acts and parts and parts of Acts therein named and after some time spent therein Mr Speaker resumed the chair and Mr Stuart reported that the committee had according to order the said bill under consideration and had made several ammendments thereto which he delivered in at the Clerks table where the same were read and Ordered to lie on the table —

The bill from the Council entitled an act to explain an act entitled to establish a Bank in the Mississippi Territory" was read the third time with the ammendments — and ordered to lie on the table —

On engrossed bills to authorize the Executors and Executors of Joseph Pamill deceased to sell the real estate of their Testator

was

was read the third time —

Resolved that the said bill do pass and that the title be an act to authorize the Executors of Joseph Parmelle deceased to sell the real estate of their testator —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

~~The House proceeded to consider the Communication of the Council to the bill entitled an act to regulate the several Courts of this Territory and to create~~ —

A Message from the Council by Mr. Hughey their Secretary — Mr Speaker The Council have passed the bill entitled "An act to change the place of holding the several Courts of Mobile County" — Also the bill entitled an act to regulate the several Courts of this Territory & to create a Supreme Court of Error & Appeals" sent to them for concurrence, with certain amendments to which they desire the concurrence of this House — They have appointed Mr Ware manager on their

part

part to confer with the managers appointed by this House on the subject matter of Amendments and disagreement to the bill entitled An Act to Amend an Act providing a summary mode for the trial of Cases and thereupon withdrew —

And the House then adjourned until 3 Oclock this afternoon —

3 Oclock P.M. Thursday January 11th

The House according to the order of the day resolved itself into a Committee of the whole House on the bill providing for the better regulation disposal of Spirituous Liquors may declare of the same and after some time spent therein the Speaker resumed the chair and Mr Patton reported that the Committee had according to Order the said bill under consideration & had made several amendments thereto which he delivered in at the Clerks table where the same were read and in part concurred in by the House —

The said bill was then further amended at the Clerks table — and Ordered to be engrossed & read the third time tomorrow

A Message from the Council by Mr Hughes their Secretary — Mr Speaker — The Council have passed the bill intitled An Act for the relief of the several Tax Collectors of this Territory sent to them for concurrence, with to amendments to which amendments they desire the concurrence of this House — They have given leave to bring in a bill to increase the revenue, and then he withdrew —

The House proceeded to consider the said amendments at the Clerks table and the same being read and upon the question severally put thereupon disagreed to by the House —

Ordered that the Clerk of this House do acquaint the Council therewith —

~~The House proceeded to consider the amendments of the Council to the bill~~

And the House then adjourned until tomorrow morning 10. O'Clock —

Wednesday January 19th

An motion made and leave given by the Hon. Mr Balch from the Committee of Propositions and Grievancy to whom was referred on the 11th inst and the Petition of Richd Northrop presented a bill to authorize the administrators of Jamy Cairns dec$^{d}$ to sell the real estate of the said deceased, which was received and read the first time and Ordered to be read the second time tomorrow

Mr. Montgomery from the Committee to whom was referred the bill to appoint certain certain Commissioners for the purpose therein mentioned, reported an admendatory bill thereto which was received and read the first time and Ordered to be read the second time tomorrow

An motion of Mr Shute

Ordered That Mr. Rankin be added to the Conf. managers appointed by this House to attend a conference with the Council on the subject matter of amendments depending between the two Houses to the

the bill entitled an act an act to amend an act entitled an act for the punishment of crimes and misdemeanors and the acts ammendatory thereto"

Mr. Moore from the Managers appointed to attend a conference with the Council on the subject matter of ~~disagreeing votes of the two Houses on the~~ ammendments depending between the two Houses to the bill entitled An act to reduce into one and ammend the several Militia laws of this Territory" made a report which was read, when

On motion of Mr. Moore

Ordered that the said managers have leave to withdraw the same

The House according to the order of the day resolved itself into a committee of the whole House on the bill concerning roads and highways and after some time spent therein Mr Speaker resumed the chair & Mr Rankin reported that the Committee

had

had according to order the said bill under consideration and had made some progress therein and had directed him to ask for leave to sit again —

And on the question that the Committee have leave to sit again —

It was determined in the negative

On motion

Ordered that the said bill be ~~referred to~~ recommitted to the select Committee that reported the same —

On motion

Ordered that Messrs Hornby & Reynolds ~~Clay~~ be added to the said Committee —

~~A motion was made~~

On motion of Mr. Smith

Resd. ~~Unanimously~~ that that the Committee of Propositions & Grievances be instructed to inquire into the expediency of reducing the prices of tavern licences —

on ingrossed bill ~~directing~~ in what manner or what manner distilling of spiritous liquors may dispose of the same"

was

read the third time —

Resolved that the said bill do pass and that the title be an act providing in what manner distillers of spirituous liquors may dispose of the same

Ordered that the Clerk of this House do carry the said bill to the Council & desire them concurrence —

On motion of Mr Shultz —

Ordered that the Clerk of this House inform the Council that in engrossing the bill entitled An Act to regulate the several Courts of this Territory and to create a Supreme Court of Appeals an error has been committed by inserting the word "fifty" after the word "exceed" in the ~~number~~ 9th line of the 2nd section instead of the word "twenty" —

On motion of Mr Shultz —

Ordered that the 28th rule for the government of this House be dispensed with, and that they reconsider their vote given on the Claim of Benjamin Shultz the 7th instant —

On motion

Ordered that the Governor communication in relation to s[d] Claim & the document accompanying the same be recommitted to the Committee of Claims —

The bill to authorize the Surveyor & Treasurer to pay over certain money to the County Treasurer of Amite County, was read the read time and Ordered to be referred to a Committee of the whole House—

The House then resolved itself into a Committee of the whole House on the said bill and after some time spent therein Mr. Speaker resumed the chair & Mr Baldwin reported that the Committee had according to order the said bill under consideration and had made several amendments thereto which he delivered in at the Clerks table where the same were read and severally read and concurred in by the House—

On motion

Ordered that the said bill be engrossed with the ammendments & read the third time tomorrow—

The House according to the order of the day resolved itself into a Committee of the whole House on the bills concerning the Jail of Lamar County and after some time spent therein Mr Stuart reported that

the

the Committee had according to Order the said Bill under consideration and had made an amendment thereto which he delivered in at the Clerks table where the same was read & concurred in by the House —

On motion

Ordered that the said bill be engrossed with the Ammendments and read the third time tomorrow

The bill for the relief of the Country of Baltimore and Clark was read the second time & Ordered to be referred to a Committee of the whole House tomorrow —

An nation of Mr Safford —

Ordered that the Petitions of John Safford and Charles S. Cosby be recommitted to the Committee of Claims —

The Bill to repeal certain Acts & parts of Acts therein mentioned was Ordered to be referred to a Committee of Mess^rs Hinds Hunt & Lasselle —

The bill from the Council entitled "An Act to amend the Attachment law, was read

the

the third with the ammendments

And on the question that the same do pass

It was resolved in the affirmative

Ordered that the Clerk of this House do accquaint the Council therewith —

The House according to the Order of the day resolved itself into a Committee of the whole House on the bill from the Council intitled An Act authorizing warrants of Attorney to confess judgment and after some time spent therein, Mr Speaker resumed the Chair and Mr Pasy reported that the Committee had according to Order the said bill under their consideration and had directed him to report the bill same without ammendments —

On motion

Ordered that the said bill be ~~engrossed~~ read the third time tomorrow —

~~The bill for the~~

And the House then adjourned until 3. o'Clock this afternoon

3. Oclock Pell Wednesday January 12th

The bill for the relief of Surros was read the ~~third time~~ second time and Ordered to be referred to a committee of the whole House tomorrow

The House proceeded to consider the Amendments of the Council to the bill entitled an Act extending the right of suffrage for Selectmen Treasurer Assessor and collector for the City of Natchez which was then read at the Clerks table and concurred in by the House

An engrossed bill to provide for the Government of the Town of Mobile was read the third time —

Resolved that the said bill do pass and that the title be an Act providing for the government of the Town of Mobile —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

An engrossed bill to establish two Election districts in Franklin County &

for

for other purposes —

Resolved that the said bill do pass &
that the title be An Act to establish
places of Voting elections in Franklin
County —

Ordered that the Clerk of this House
do carry the said bill to the Council
& desire their concurrence

An engrossed bill for the relief of
William Adams was read the third time

Resolved that the said bill do pass and
that the title be An Act for the relief
of William Adams" —

Ordered that the Clerk of this House
do carry the said bill to the Council
& desire their concurrence

A memorial to be addressed to Congress
praying an extension of the jurisdiction of
of the Judge of Washington District
&c, was read the second time and ordered
to be referred to a Committee of the
whole

House
whole Council

A motion was made by Mr. Grundy of Bucks seconded that the House do come to the following resolution Viz

Resolved That it shall be the duty of all officers of the Territory to report to the Secretary thereof and make themselves accountable for all books and laws that they may receive from him by virtue of their offices —

The said resolution was read & Ordered to lie on the table —

The House according to the Order of the day resolved themselves into a Committee of the whole House on the resolution from the Council relative to a Digest of the laws of this Territory, and after some time spent therein Mr. Speaker resumed the chair and Mr. Shirley reported that the Committee had according to Order the said resolution under consideration and had made an amendment thereto which he delivered in at the Clerks table where the same was read, and Ordered to lie on the table —

The House proceed to consider the bill from the Council intitled An Act to explain

=plain the act entitled An act to establish a Bank in the Mississippi Territory.

When a motion was made by Mr. Boyd seconded to postpone the said bill indefinitely.

And on the question thereupon

It was resolved in the affirmative —

A Message from the Council by Mr. Rigby their Secretary — Mr. Speaker The Council have agreed to the amendments proposed by this House to the bill entitled "An act to amend the Attachment Laws" they have passed the bill entitled An Act providing in what manner Orphans of Intestates may dispose of the same" sent to them for concurrence — They have took into consideration the bill entitled An act to regulate the several Courts of this Country and to create a Supreme Court of ~~Appeals~~ error & Appeals — and have passed the same with a further amendment — They have passed the bill entitled An Act to authorize the Executors of Joseph Bramble deceased to sell the real estate of their Testator — They

must

insist on their Amendments to the bill entitled An Act for the relief of the several Tax Collectors of this Territory — also to the bill entitled An Act to extend the right of suffrage to freedmen, & reasons why of Jefferson and Collector of the City of Raleigh — and then he withdrew —

On motion

Resolved that this House do insist on their disagreement to the said Amendments —

Resolved that a conference be desired with the Council on the subject matter thereof and that Messrs. Moore Taylor and Snodgrass be at the said conference on the part of this House

Ordered that the Clerk of this House do acquaint the Council therewith —

Mr Rankin gave notice to the House that he would move tomorrow for leave to bring in a bill for the relief of the Tax Collectors of the Counties of Baldwin Clarke & Washington —

Mr Shuldy from the managers appt. on the part of this House to attend a conference with the Council on the subject matter of the second Ammendments depending between the two Houses to the bill intitled An Act to amend an Act intitled An Act for the punishment of Crimes & misdemeanors" and the Act, ammendatory thereto — made a report, which was read & considered —

Whereupon

Resolved that this House do adhere to their disagreement to the said second ammendment

And the House then adjourned until tomorrow morning 10. o'Clock —

Thursday January 13th

A motion was made by Mr Posey & Seconded that the House do reconsider their vote given yesterday to adhere to their disagreement to the second ammendments of the Council to the bill intitled An Act to amend the Act entitled An Act for the punishment of Crimes & misdemeanors and the Acts ammendatory thereto, —

And

And on the question Gen. Tatlin Harrison

So was determined in the negative —

Mr Chany presented a Petition of Abraham Buckels and Mahalah Buckels his wife, praying for certain reasons therein mentioned that an Act may be passed legalizing the marriage celebrated between them by a person who was not qualified to perform the same —

The said Petition was read and Ordered to be referred to the Committee of Propositions and Grievances —

Mr. Snodgrass presented a Petition of John Balls one of the Commissioners appointed under the Act entitled "An Act for the erection of a Courthouse Jail &c. in every County, praying for remuneration for the balance of expences which he has incurred individually in virtue of said appointment —

The said Petition was read and Ordered to be referred to the Committee of Claims —

Mr. Rankin from the managers appointed to attend a conference with the Council on the subject matter of the 1st & 2nd Amendments

Ammendments of this House to the bill entitled
An Act to amend an Act entitled An Act for
prescribing a summary mode for the trial of
Slaves" — made a report which was read &
& considered — Whereupon —

Resolved, That this House doth recede
from this same
from their said Ammendments with a mo-
dification of the 1st of said ammendments

Ordered that the Clerk of this House do
acquaint the Council therewith —

Mr. Sasseen from the committee of Claims
made a report on
to whom was referred the Petition of Jonathan
Powell Goaler of Adams County which was
read and the resolution contained therein con
curred in by the House as follows —

Resolved that the Petitioners prayer of the
Petition is unreasonable & ought not
to be granted" —

Mr. Sasseen from the same Committee to
whom was referred report on the Petition of Robert
Turner which was read and resolution
contained therein concurred
in by the House, as follows

Resolved

"Resolved that the Petitioner be allowed the sum
of eight dollars & fifty Cents"

Mr Safford from the same Committee made
a report on the Petition of Claim of Benjamin
Hinds which was read and the resolution con-
tained therein concurred in by the House as
follows — Resolved that the Claimant have
leave to withdraw his papers & documents in
relation to said Claim —

Mr Safford from the same committee made
a report on the Petition of John Safford
favorable to the Petitioner for the sum of forty
dollars — on the Petition of Charles S. Cosby
favorable to the Petitioner for the sum of seven
-ty dollars — on the Petition of Thomas B.
Reed favorable to the Petitioner for the sum
of forty dollars — which said reports were
read at the Clerk's table and on the question
severally put thereon concurred in by the

Mr Safford from the same committee
made a report on the Petition of Peter
Isler which was read & ordered to lie on
the table ——

On motion made and leave given by the House all Parties presented a bill for the relief of the tax collectors of the County of Baldwin Washington & Clark, which was received and read the first time & ordered to be read the second time tomorrow —

The proceed to consider the amendments of the Council to bill entitled an Act to regulate the several Courts of this Territory and to create a Supreme Court of Errors & Appeals which were then read at the Clerks table and upon the question put on the first and second of said ammendments was concurred in by the House —

A motion was then made & seconded that the House concur in the third of said ammendments, which goes to introduce a new section in the following words —

"And be it further enacted, that immediately after the passing of this act all actions causes, suits, Process and pleadings at Common Law, then depending and undetermined in or

returnable to the said several County Courts
shall be transfered and returned to the Superior
Courts of Law and Equity in their respective
Counties, and the said actions Causes, Suits
Writs and pleadings shall be proceeded on,
tried and determined in said Superior Courts
of Law and Equity, as if originally commenced
therein, and it shall be the duty of the Clerks
of the said County Courts respectively to
Transmit immediately to the Clerks of the
Superior Courts of Law and Equity of their
respective Counties, all papers records
process, minutes, pleadings, and other proceedings
remaining in their respective Offices relating
to any suits at common Law for the recovery
of any Debt or Damages, whether the same
be proceeded on to judgment or not, and
the same shall appertain to, and be made
a part of the record of the said Superior
Courts of Law and Equity to which they may
be transfered."

And on the question being taken thereon

It was resolved in the affirmative

The yeas and nays being called for by
Mr Runnels & the Clerk, having counted to call
the
Ayes

over the name
~~the name of the member~~, whose ~~name~~ was
~~upon the name of~~ Col McCarty, upon ~~which~~ his
~~he~~ rose from his place and stated that he
was not present at the time the question
and asked for a statement of it from the chair that his vote
might be ~~recorded~~ registered ~~by the Clerk~~, ~~and whether it~~ ~~would~~
be ~~so~~ put, ~~and whether~~ he ~~would~~ ~~be~~ ~~entitled~~
An objection was made by Mr Hubbard to the member
voting ~~by~~ as he had been present when the question was
The Speaker decided that the mem-
ber would have a right to a vote under
the rules of the House upon the question
being again stated from the chair —

From which decision of the Speaker
an appeal was made to the House by
Mr Shields —

and ~~the~~ the question being taken, is the
decision of the chair correct?

It was resolved in the affirmative

The Speaker again stated the question
and directed the Clerk to call the name
of Col McCarty upon, which he answered
~~Col~~ "aye"

{ yeas 14
nays 9

Those who voted in the affirmative
are

calling over the names

Mr. McCartney rose in his place and stated that he was not present at the time the question was put, and asked for a statement of it, that his vote might be recorded by the Clerk —

An objection was made by Mr. Swagerty to the Members voting —

The Speaker decided that according to the rules of the House he might vote, upon the question being again stated from the Chair —

From which decision of the Speaker an appeal was made to the House by Mr. Shields —

And the question being taken, "Is the decision of the Speaker correct?"

It was resolved in the affirmative

The Speaker then again stated the question and directed the Clerk to call the name of the member, Mr. Mr McCartney —

And being so called,

Mr. McCartney answered in the affirmative

The yeas and nays as required before the said question being called over

There appeared { yeas 14 / nay 9

Those who voted in the Affirmative

Messrs. Chaney, Greenleaf, Hinds, Hovey, Hoggatt, Moore, McCartney

Messrs. Hovey, Hawkins, Regan, Shields, Snodgrass, Staub, Taylor

Those who voted in the negative are

Messrs. Balch, Baldwin, Downs, Montgomery, McVay, Patton, Runnells, Sloffett, Smith—

Ordered that the Clerk of this House do acquaint the Council thereof.

A Message from the Council by Mr. Keighley their Secretary—Mr. Speaker—The Council have disagreed to the report of the managers appointed to confer on the subject matter of amendment and disagreement subsisting between the two Houses to the Bill entitled "an act to reduce into one, and amend the several Militia Laws of this Territory" and have agreed to the report of the managers appointed to confer on the points of difference to the Bill entitled "An act to amend the acts for the punishment of Crimes and made=

meanors," and the acts amendatory thereto
And they have also agreed to the report
of the managers appointed to confer on
the points of difference to the Bill entitled
"An Act to amend the act prescribeing
a summary mode for the trial of Slaves"
They have passed the following Bills which
were sent to them for concurence viz
"An Act for the relief of William Mann"
"An Act to establish two places of holding
Elections in Franklin County and for other
purposes." and "an Act to provide for
the Government of the Town of Mobile".
They have passed a Bill entitled "an Act
to amend the Revenue Law" to which
Bill they desire the concurrence of the
House of Representatives.
The Council have appointed on their part
Messrs Hare and McCabe managers
with the managers appointed by the
House of Representatives to confer on
the subject of amendment and disagreement
to the Bill entitled "an Act for the relief
of the several tax collectors of this Territory"
and to the Bill entitled "an act to extend
the right of suffrage for Selectmen Treasurer
Assessor and Collector of the City of Natchez".

and then he withdrew—

Mr. Shultz from the joint Committee for enrolled bills reported that the committee had examined the following enrolled bills viz—

"An act to establish two election districts in Hancock County"—

"An act providing in what manner distillers of spirituous liquors, shall be authorized to dispose of the same"—

"An act ammendatory of the Act concerning Clerks of Courts and reduce into one the several laws regulating offices &c and more particularly to define the same"—

"An act to amend an Act entitled "An Act to amend the several laws now in force relative to strays"—

"An act to change the place of holding the several Courts for Mobile County"—

And "An Act to amend the several Acts relative to the public printing"—

And had found the same to be truly enrolled, Whereupon—

Mr. Speaker signed the same

Ordered that the Clerk of this House do acquaint the Council therewith—

The bill to appoint Commissioners to examine and report on the state of Education of certain Officers was read the ~~first~~ time & Ordered to be read a second time to a Committee of the whole House tomorrow —

Mr Moore from the managers appointed to attend a conference with the Council on the subject matter of amendments depending between the two Houses to the bill entitled "An Act to reduce into one and amend the several Militia Laws of this Territory" made a report which was read and on the question put thereupon ordered to lay the House —

On motion of Mr Moore ~~—~~

Resolved, that another a conference be desired with the Council on the subject matter of said amendments and that Messrs Moore Patton & Hinds be appointed Managers at the said conference on the part of this House —

Ordered that the Clerk of this House do acquaint the Council therewith —

The bill to emancipate negro Adam, was read the second time, when

On motion of Mr. Rankin —

Ordered that the said bill be postponed indefinitely —

Mr Posey presented a Petition of Moses Liddell adjutant of the 2nd Regiment of Militia praying an Allowance of his account transmitted with his Petition —

The said Petition was read & Ordered to be referred to the Committee of Claims —

Mr. Smith gave notice to the House that he would move tomorrow for leave to bring in a bill to retain the power and jurisdiction of the County Courts east of Pearl river —

The bill from the Council entitled "An Act to amend the revenue law" was read the first time and Ordered to be read the second time tomorrow —

The bill to emancipate conferring certain Negroes & mulattoes late the property of Jonny McCay in their freedom and for other purposes — was read the

second

Second time, and Ordered to be engrossed and read the third time tomorrow ——

The bill to authorize the administrators of the estate of Jenny Cain deceased to sell the real estate of the said deceased was read the second time, and Ordered to be engrossed and read the third time tomorrow ——

The bill to authorize Rachel Reed to a free woman of Colour to manumit her Son Jenny was read the second time and Ordered to be engrossed and read the third time tomorrow ——

The House according to the Order of the day resolved itself into a Committee of the whole House on the bill for the relief of Jurors and after some time spent therein Mr. Speaker resumed the chair and Mr. Smith reported that the Committee had according to Order the said bill under consideration and had made several ammendments thereto which he delivered in at the Clerks table where the same

read & ~~ag~~ the question & may severally feel thereon concerning by the House —

On motion of Col Moore

Ordered that the said bill be referred to a Committee of Chap[n] Chaney Clendenny & Shute —

Coll Hughes from the Council by Mr Hughes their Secretary — Mr Speaker the Council have appointed Chap[n] Ware & Col Caleb Managers on their part to confer with the Managers appointed by this House on the subject matter of ammendments and disagreement to the bill entitled "An Act to reduce into one and amend the several Militia Laws of this Territory"

They have passed a bill entitled "An Act to extend the jurisdiction of justices of the peace" — to which bill they desire the concurrence of this House —

They have given leave to bring in a bill concerning Executors & administrators Also a bill to create Judges of Probate and them be withdrawn —

And the House then adjourned until tomorrow morning 10. O'Clock —

Friday January 11th —

Mr. Sollo presented a Petition of Felix Hughey Secretary to the Legislative Council praying compensation for copying the journal of the Council of the last Session —

The said petition was read and ordered to be referred to a Committee of Claims —

Mr. Moore from the managers appointed to attend a conference with the council on the subject matter of amendments depending between the two Houses to the bill entitled "An Act for the relief of the several tax collectors of this Territory" — made a report which was read and considered, Whereupon —

Resolved that this House do recede from their disagreement to the said amendments, with a certain modification thereof —

Ordered that the Clerk of this House do acquaint the Council therewith —

Mr. Sasseen from the committee of Claims made a report on the Petition of Abby Liddel, favorable to the

Petitioner

Petition for the sum of fifty dollars — on the Petition of Felix Huggins favorable to the Petitioner for the sum of twenty five dollars which said reports were read at the Clerks table ~~and journal~~ and on the question severally put thereon concurred in by the House —

Ordered that the Clerk of this House do acquaint the Council therewith —

Mr Chaney from the Committee to whom was referred the bill for the relief of Aaron Upton an amendatory bill thereto which was received and read the first time and

Ordered

Ordered to be read the second time tomorrow

Mr Moore from the managers appointed to attend a conference with the Council on the subject matter of amendments depending between the two Houses to the bill entitled An Act to reduce into Acts & amend & reduce into One the several statute laws of this Territory made a report, which was read and considered, and on the question being put thereon concurred in by the House —

On motion made and leave given by the House, Mr Connelly presented a bill to extend the powers of the justices of the Peace which was received and read the first time and Ordered to be on the table

Mr Shields from the Committee to whom was referred the bill to repeal certain Acts and parts of Acts therein named and for other purposes reported an Amendatory bill thereto, which was received and read the first time and Ordered to be read the second time tomorrow

A Message from the Council by Mr Hughes their Secretary — Mr Speaker — The Council have agreed to the Report of the Managers appointed to confer on the subject matter of amendment and disagreement to the bill entitled "An Act for the relief of the several Tax Collectors of this Territory — And also to the report of the managers appointed to confer on the subject matter of Amendments and disagreements to the bill entitled "An Act to extend the jurisdiction rights of suffrage for Select men, Treasurer Assessor and Collector for the City of Natchez — and then he withdrew —

The bill from the Council entitled An Act to extend the jurisdiction of Justices of the Peace was read the first time, and Ordered to be read the second time tomorrow —

The House proceeded to consider the report of the Committee of Claims on the Petition of Peter Isler, When

On motion of Mr. Smith,
Ordered that the said report be referred to a

Committee

Committee of the whole House —

The ~~said~~ House then resolved itself into a Committee of the whole House on the said report, and after some time spent therein Mr Speaker resumed the chair & Mr Dawing reported that the Committee had according to Order the said report under consideration and had made an amendment thereto, which he delivered in at the Clerks table, where the same was read and on the question thereon concurred in by the House —

The bill for the relief of certain persons therein named was read the second time and Ordered to be referred to a Committee of the Whole House —

The House then resolved itself into a Committee of the whole House on the said bill and after some time spent therein Mr. Speaker resumed the chair & Mr Stuart reported that the Committee had ~~the~~ according to Order the said bill under consideration and had made some progress therein & had directed him to ask leave to

Sit

fut again

Resolved that this House will [redacted]
again resolve itself into a Committee of
the whole House — a Message from
the Council by Mr. Hughes their Secretary

Mr. Speaker "The council have agreed to the
report of the Managers on the subject
matter of amendment to the Bill entitled
"An Act to reduce into one, and amend
the several Militia Laws of this Territory".
The council have passed a Bill entitled
"An act concerning Executors and
Administrators" to which Bill they desire
the concurrence of the House of
Representatives — I am directed to
inform the House of Representatives that
the Council also adheres to their amendments
proposed to the Bill entitled "An act
to amend the act entitled an act for
the punishment of Crimes and
Misdemeanors and the acts amendatory
thereto" and then he withdrew

The bill from the Council entitled "An act
to amend the revenue law was read the
second time, — when

a motion was made by Mr. Hinds that
the

the said Bill rejected

And on the question thereon

It was determined in the negative —

On motion of Mr Moore —

Ordered that the said Bill be
referred to a Committee of the whole House
for monday next —

The Bill from the Council, entitled "An Act
Executors and Administrators" was read
the first time and Ordered to be read
the second time tomorrow —

Mr Shultz from the joint Committee for
enrolled bills reported that the Committee
had examined the following enrolled bills,
viz.t

An Act to regulate the several
Courts of this Territory and to create a
Supreme Court of appeals "An Act to
amend An Act prescribing a summary
mode for the trial of Slaves" —

"An Act to amend the Attachment
Law" —

And had found the same to be

duly

duly enrolled, Whereupon

Mr Speaker acquainted the House that enrolled bills,

Ordered that the Clerk of this House do acquaint the Council therewith —

The House according to the Order of the day resolved itself into a committee of of the whole House on the bill to appoint Commissioners to examine and report on the state or situation of certain Offices, and after some time spent therein Mr Speaker resumed the chair and Mr Shultes reported that the Committee had according to order the said bill under consideration and had made progress therein — and had directed him to ask leave to sit again —

Resolved that this House will again resolve itself into a Committee of the whole House on the said bill —

Ordered that Mr Greenle have leave of absence from the service of this for tomorrow —

On motion made and leave given

leg

by the Hon Mr Smith a petition
a bill to ~~the~~ retain the power & jurisdiction
of the County Court, east of Pearl river
which was received and read the first time
~~and Ordered to be read the~~ & Ordered to
be read the second time tomorrow

~~On motion~~ made and leave given by the House
Mr Moore from the Committee to whom
was referred the Petition of James ~~&~~
Mathews & wife presented a bill for
the relief of James & Mathews of Adams
County which was received & read the
first time & Ordered to be read the
second time tomorrow ——

On motion
Ordered that Mr Balch
be added to the Committee of Claims

And the House then adjourned
until tomorrow morning 10 O'clock

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Saturday January 15th

Mr Balch from the Committee of Propositions and Grievances ~~made~~ to whom was referred the Petition of Abraham Buckels & Mahalah Buckly made a report was read & concurred, Whereupon

Resolved that the Petitioners have leave to withdraw and their said Petition —

~~Mr Bond from the same Committee~~

An motion of Mr Bach —

Ordered that the Committee of Propositions & Grievances be discharged from the further consideration of the Petition of Edward Turner & others —

An engrossed bill confirming certain negroes and mulattoes late the property of Danl McCarty deceased in their freedom and for other purposes — was read the third time

Resolved that the said bill do pass and that the title be An Act confirming certain negroes & mulattoes late the property of Danl McCarty deceased in their freedom and for other purposes" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

The bill for the relief of the Sheriff of

of the County of Pacific, Washington & Clark, was read the second time and Ordered to be referred to a Committee of the whole House —

The House then resolved itself into a Committee of the whole House on the said bill and after some time spent therein Mr Speaker resumed the chair and Mr Taylor reported that the Committee had according to Order the said bill under consideration and had made several amendments thereto which he delivered in at the Clerks table where the same were read and on the question severally put thereon concurred in by the House —

On motion

Ordered that the said bill with the amendments be engrossed and read the third time on monday next —

An engrossed bill to authorize the administrators of James Cain deceased to sell the real estate of the said deceased, was read the third time — When,

An motion of Mr. Chaney

Ordered that the said bill be referred to a committee of Messrs Chaney, Reuds & Steart

The bill concerning Juries and for other purposes was read the second time, and ammended

An motion of Mr Mc Carley Ordered the said bill be referred to a Committee of the whole House on monday next —

An unprocessed bill to authorize Rachel Reed a free woman of Colour to manumit her son James was read the third time —

Resolved that the said bill do pass, and that the title be An Act to authorize Rachel Reed a free woman of Colour to manumit her son James" —

An engrossed bill concerning the Goal of Adams County was read the third time

Resolved that the said bill do pass & that the title be "An Act concerning the Goal of Adams County" —

Ordered that the Clerk of this House do carry the said bills to the Council & desire them concurrence

On motion

Ordered that the Committee of the whole House be discharged from the consideration of a bill for the relief of the County of Baldwin & Clark

A Message from the Council by Mr Hughes their Secretary Mr Speaker The Council have passed a bill intitled An Act to create Judges of probates" — and then he withdrew

The said bill was read the first time and Ordered to be read the second time on monday next —

The bill confirming the nomination of Edmund a Elmdale Esq was read the second time, and Ordered to be ingrossed & read the third time on monday next —

The House according to the Order of the day again resolved itself into a Committee of the whole House on the bill to appoint Commissioners to examine and report on the state or situation of certain offices, and after some time spent therein Mr. Speaker

Resumed

resume the chair and Mr Smith reported that the Committee had according to Order the said bill again into consideration & had made further progress therein, and had directed him to ask for leave to sit again

On motion

Resolved that this House will again resolve itself into a committee of the whole House on the said bill —

Mr Smith from the joint Committee for enrolled bills reported that the Committee had examined the following enrolled bills viz

"An Act to establish two places of holding elections in Franklin County and for other purposes" —

"An Act for the relief of William Allan"

"An Act for the relief of the several late Collectors of the District" —

An Act to extend the right of suffrage for Lieut Gov Treasurer Assessor & Collector for the City of Lancaster & Pequea and the qualifications necessary for those offices" —

An Act to authorize the executors of Joseph Parnell deceased to sell the real estate of their testator, and had found the same to be truly worded ——

Whereupon Mr Speaker signed the said worded bill ——

Ordered that the Clerk of this House do acquaint the Council therewith ——

A motion was made by Mr Smith and seconded that the House to come to the following resolution Viz

Resolved That the following be added to the standing rules and Orders of the House

"No member shall introduce any Petition or Memorial to Congress except on subjects within the proper sphere of the House to act on, in their Legislative and representative capacity or in relation to such matters and things as he may have been instructed to introduce by a majority of his constituents, ——

The said resolution was read & ordered to lie on the table ——

The House according to the Order of the day resolved itself into a Committee of the whole House on the Memorial to be addressed to Congress praying that the extension of the jurisdiction of Washington District &c & after some time spent therein Mr Speaker Mr Speaker resumed the chair & Mr Wellsay reported that the committee had according to Order the said Memorial under consideration and had made some progress therein —

On motion

Ordered that the Committee of the whole House be discharged from the further consideration of said Memorial and that the same be referred to a Committee of Messrs Hunt, Saffold & Smith —

A Message from the Council by Mr Hughes their Secretary — Mr Speaker — I am directed to inform this House that the Governor did on this day approve and sign the two following Acts viz —

An Act to amend an Act prescribing a summary mode for the trial of Slaves

And "An Act to amend the Attachment Law"

and then he withdrew —

A Message was received from the Governor of the Territory by Mr Dangerfield his Private Secretary notifying that the Governor did this day approve and sign the following Acts which originated in this House towit—

"An Act fixing in what manner Distillers of spirituous liquors shall be authorized to dispose of the same"—

"An Act to establish two election Districts in Hancock County"

"An Act to amend the several Acts relative to the public printing"—

"An Act to Amend the several laws now in force relative to Strays"—

"An Act amendatory of the Acts concerning Clerks of Courts and reduce into one the several laws regulating Offices &c more particularly to define the same"—

"An Act to change the place of holding the several Courts of Mobile County"—

And the House then adjourned until 3. Oclock this afternoon.

3. Oclock PM Saturday January 15

The bill from the Council entitled "An Act

concerning Executors and administrators" was read
the ~~third~~ second time, and ~~amend~~, d Ordered
to be read with the ammendment the third
time ~~to~~ on monday next—

The bill to extend the powers of Justices of
the Peace was read the second time, and Ordered
to lie on the table—

Mr Shuler from the joint Committee for
enrolled bills reported that the Committee did
this day lay before the Governor for his
approbation the following enrolled bills
towit—

"An Act for the relief of the several
tax collectors of this Territory"—

"An Act to authorize the Executors of
of Joseph Parmlee deceased to sell the
real estate of their Testator"—

"An Act for the relief of William Mann"

"An Act to ~~authorize~~ establish two ~~election~~
~~districts~~ places of holding elections in
Franklin County and for other purposes"

and "An Act ~~to~~ extending the rights of
suffrage for Selectmen Treasurer, Assessor
and Collector for the City of Natchez—&

prescribing the qualification necessary for those Officers &c

And the House then adjourned until Monday morning 10 o'clock

Monday January 19th

Mr Speaker laid before the House the Petition of Charles Defrance praying an allowance for the use of the House occupied by the General Assembly during the present Session and for fire wood furnished during the same time

The said Petition was read & Ordered to lie referred to the Committee of Claims to lie on the table

On motion made & leave given by the House Mr Talbot from the Committee of Claims to whom was referred the Petition of John Ball, presented a bill therewith which was received and read the first time and Ordered to be read the second time tomorrow

An engrossed bill for the relief of the Tax collector of the County of Baltimore Washington, Clark & Callaham was read

read the third time, &c

Resolved that the said bill do pass and that the title be "An act for the relief of the Tax Collectors of the County of Baldwin, Washington, Clark and Madison" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their Concurrence —

The bill directing the next Session of the General Assembly shall be held at the City of Natchez — was read the second time, when

A motion was made by Mr Shultas & seconded that the said bill be rejected —

And on the question being taken thereon

It was determined in the negative —

An motion

Ordered that the said bill be referred to a committee of the whole House tomorrow

The bill for the relief of Jany A Matthews of Adams County, was read the second time, when a motion was made by Mr Hoggatt and seconded

Seconded to postpone the said bill indefinitely

And on the question thereon

A motion was made by Mr Snodgrass
Seconded that the said bill do lie on the table

And on the question hereupon being taken

It was determined in the negation

The question then recurred on postponing the
said bill indefinitely and the same being taken

It was resolved in the affirmative

The bill from the Council entitled "An act
to extend the jurisdiction of Justices of the
Peace" was read the second time, when

~~A Message from the Governor of the
Territory~~

A motion was made by Mr Dawson
Seconded that the said bill be postponed
indefinitely —

And on the question being taken thereon

It was determined in the negative

On motion of Mr Snodgrass

Ordered

Ordered that the said bill be referred to a Committee of the whole House tomorrow —

An engrossed bill to authorize the Territorial Treasurer to pay over certain moneys to the County Treasurers of the several Counties of this Territory, was read the third time —

Resolved that the said bill do pass and that the title be "An Act authorizing the Territorial Treasurer to pay over certain moneys to the County Treasurers of the several Counties of this Territory" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

The bill from the Council to authorize Warrants of Attorney to confess judgments was read the third time, and ordered to lie on the table

The bill to repeal the several Acts & parts of Acts therein named & for other purposes was read the second time, and Ordered to be referred to a Committee of the whole House tomorrow —

The bill from the Council intitled An Act to create Judges of Probate" was read the second time and Ordered to be referred to a Committee of the whole House tomorrow —

On motion of Mr Moore

Ordered that James A Mathews have leave to withdraw his Petition & documents presented to this House on the 11th instant

A Message was received from the Governor of the Territory by Mr Danforth his Private Secretary notifying that the Governor did this day approve and sign the following Acts which originated in this House to wit

An Act to establish two Places of holding elections in Franklin County and for other purposes"

An Act to authorize the Executors of Joseph Parmle deceased to sell the real estate of their Testator"

An Act relating the right of suffrage for Selectmen, Treasurer, Assessor & Collector for the City of Catskill; and prescribing the qualifications necessary for those offices"

An Act for the relief of William Adams

Ordered that the Clerk of this House do acquaint the Council therewith

A Message from the Council by Mr Hughes their Secretary — Mr Speaker — the Council have passed indefinitely the bill intitled "An Act confirming certain negroes and mulattoes late the property of Jenny McCarty in their freedom and for other purposes" they have also postponed indefinitely the bill intitled "An Act to authorize Rachel Reed a free woman of Colour to manumit her son Jenny" — and then he withdrew —

On motion,

Ordered that the committee of the whole House be discharged from the consideration of the bill from the Council entitled "an Act to amend the revenue law"

A motion was made by Mr Shultz seconded that the House do come to the following resolution —

Resolved as the sense of this House that the Legislative Council have not a right to originate any money bills or any proposition imposing a tax on the people of this Territory, the same being exclusively within

within the power of the immediate Representatives of the people —

Resolved that the Clerk of this House be directed to carry back to the Legislative Council the bill sent by them to this House, entitled "An Act to amend the Revenue law" with a copy of the foregoing resolution as the reason why this House will not act further on the same —

The said resolutions were read and Ordered to lie on the table —

On motion Ordered That the bill for the relief of the Counties of Baldwin & Clark be referred to a Committee of Messrs Smith Sessions & Hunt —

And the House then adjourned till 3. Oclock this afternoon —

3. Oclock P.M. Monday January 17th

Mr Smith from the Committee to whom was referred the bill for the relief of the Counties of Baldwin & Clark, reported an amendatory bill thereto, which was received & read the first time, and When,

A motion was made by Mr Baldwin & Seconded
that the said bill be rejected —
and on the question being taken thereon
It was resolved in the Affirmatives { yeas 12 / nay 7.

The yeas and nays being called for by Mr Smith

Those who voted in the affirmative are

Messrs Baleh, Baldwin, Downey, Hanna, Hoggatt, Ellmore, Montgomery, McKay, McCartney, Patton, Shultz, Taylor

Those who voted in the negative are

Messrs Chaney, Greenleaf, Kinnelly, Regan, Sappington, Smith, Snodgrass

Mr Sappington from the Committee of Claims made a report on the Petition of Charles Dufrance which was read —

The Bill from the Council intitled "An Act concerning Executors and administrators was read the third time with the Ammendments, and Ordered to be referred to a Committee of Messrs Taylor Shultz & Smith —

The House according to the order of the day resolved itself into a committee of the whole House on the bill concerning jurors and for other purposes and after some time spent therein the Speaker resumed the Chair and Mr. McCarty reported that the committee had according to order the said bill under consideration and had made several Amendments thereto which he delivered in at the Clerks table where the same were read and on the question severally put thereon in part concurred to in part disagreed to by the House —

Ordered that the said bill be engrossed with the amendments & read the third time tomorrow —

Mr Moore gave notice to the House that he would move tomorrow for leave to bring in a bill to alter the time of election for a Delegate to Congress for this Territory

Mr Chaney from the Committee to whom was referred the bill to authorize the administrator of Jarvis Cain deceased to

to sell the real estate of the said deceased reported certain ammendments thereto which were severally read and concurred in by the House—

Ordered that the said bill be engrossed & read the third time tomorrow —

And the House then adjourned until tomorrow morning 10. o'clock—

Tuesday January 18th

Mr Snodgrass from the Conjoint Committee for revised bills, reported that in examining an revised bill entitled An Act to reduce into one and Amend the several Statute laws of this Territory" they had discovered that an error had been committed in not inserting the ammendments made by this House to said bill —

On motion

Ordered that the said Committee have be authorized to correct the said error—

Mr Taylor from the Committee to whom was referred the bill from the Council entitled

entitled "An Act concerning Exam of Pilots
~~to explain the Act entitled~~
~~"An Act to establish a bank in the city of~~
~~Biloxi Courtney~~" reported certain amendments
thereto which were read and concurred in by
the House —

On motion

Ordered that the said bill
be read the third ~~reading~~ with the amds

The said bill was accordingly read the third
time

And on the question that the said bill do pass

It was resolved in the affirmative

Ordered that the Clerk of this House do
acquaint the Council therewith —

A motion made and leave given by the House
Mr Balch from the Committee of Propositions
and Grievances to whom it was referred to
enquire into the expediency of repealing the tax
on taborn licences ~~reported a bill that~~
reported a bill fixing the price of licences
for retailing wine and spirituous liquors, which
was received and read the first time &
Ordered to be read the second time tomorrow

The House proceeded to consider the report of the Committee of Claims on the Petition of Charles Defrance — at the Clerks table, When

On motion of Mr Moore

Ordered that the said report be referred to the Committee of the whole House to whom is referred the bill for the relief of certain persons therein named —

The House according to the Order of the day again resolved itself into a Committee of the whole House on the said bill and after some time spent therein Mr Speaker resumed the chair & Mr Haines reported that the committee had according to Order the said bill under consideration and had made several Ammendments thereto which he delivered in at the Clerks table where the same were read — and on the question put thereon concurred in by the House —

Ordered that the said bill be engrossed with the ammendments and read the third time tomorrow —

An engrossed resolution proposing for the purchase of a sword to be presented to Majr Genral Andrew Jackson, was read the third time and

And on the question that the resolution do pass —

It was resolved in the affirmative { yeas 19 nays 5

Those who voted in the affirmative are,

Mess.rs Bennett (Speaker)
Balch
Bateman
Cheney
Dockery
Greenleaf
Hanna
Hinds
Hoggatt
Patton
Perry
Rankin
Regan
Sasscer
Shultz
Snowgrass
Stuart

Those who voted in the negative are

Mess.rs Moore
Montgomery
McVay
Mess.rs McCartney
Pennell

Ordered that the Clerk of this House do carry the said resolution to the Council and desire their concurrence —

The House according to the order of the day resolved itself into a committee of the whole House on the bill entitled an Act for the further relief of John Bally and after some time spent therein the Speaker resumed the chair & Mr. Smith reported that the committee had according to order the said bill under consideration and had directed him to report the same without ammendment —

On motion of Mr Hunt

On motion of Mr Shultz —

Ordered that the further consideration of said bill be postponed until tomorrow —

A Message from the Council by Mr Hughes their Secretary — Mr Speaker — The Council have passed the bill entitled "An Act authorizing the Territorial Treasurer to pay over certain money to the County Treasurers of the several Counties of this Territory — Also the bill entitled An Act concerning the Jail of Adams County with an Ammendment thereto, in which they desire the concurrence of this House —

They have agreed to the resolution providing for the purchase of a sword to be presented

To

to ellay Genral Andrew Jackson, which
may just to them for concurrence — They have
agreed to the amendments proposed by this House
to the bill intitled "An Act concerning Executors
and Administrators" — and thus he continues

Mr Snodgrass from the joint Committee
for enrolled bills reported that the Committee
had examined the following enrolled bills viz.

"An Act to reduce into one & amend
the several Militia laws of this Territory"

An Act to provide for the government
of the Town of Mobile"

And had found the same to be truly
enrolled, Whereupon,

Mr Speaker signed the same

Ordered that the Clerk of this House
do acquaint the Council therewith

And the House then adjourned until
~~10 o'clock this~~ afternoon —

3, o'Clock Pm Tuesday January 18th —

Ordered that Majr Stuart Smith & Perry
be appointed a Committee on pursuance

of

of the Resolution of this House passed on the first
instant for the appt. of a Committee to prepare the
Qualifier with certain documents thereon mentioned

An engrossed bill concerning juries & for
other purposes was read the third time

Resolved That the said bill do pass &
that the title be "An Act concerning juries
and for other purposes" —

Ordered That the Clerk of this House do
carry the said bill to the Council & desire
their concurrence —

The House accordg to the order of the day
resolved itself into a committee
of the whole House on the bill to repeal the
several Acts and parts of Acts therein named
and for other purposes, and after some time
spent therein Mr Speaker resumed the chair
and Mr Moore reported that the committee
had accordg to order the said bill under
consideration and had made several
Amendments thereto, which he delivered in
at the Clerks table where the same
were

were read and ~~on the motion that~~ ordered to lie on the Table

On motion was made by Mr Rankin and seconded that the House do come to the following resolution

Resolved by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly convened that it should public exigency require it, and should the general government refuse or neglect to defray the expence necessarily required for our defence and protection, that the funds of the Territory lie and the same are hereby pledged to the Executive thereof so far as the same may be necessary for said purposes —

The said resolution was read & ordered to lie on the table —

And the House then adjourned until tomorrow morning 10 O'clock —

## Wednesday January 19th

On motion of Mr Rankin leave was given by the House and Mr Moore presented a petition of sundry inhabitants of Adams County for

Grum Accadamy which was received and read the first time —

On motion

The said bill was read the second time and ordered to be referred to a committee of the whole House tomorrow

Mr Stuart from the committee to whom was referred the bill concerning roads & highways reported the same without amendment

On motion of Mr Snodgrass

Ordered that the said bill do lie on the table, —

Mr Hunt from the committee to whom was referred the Memorial to be addressed to Congress praying an extention of the jurisdiction of the Levy Court of Washington district and for the appointment of an additional judge within the same &c., presented a resolution thereupon, which was received and read the first time —

On motion

The said resolution was read the second time, and ordered to be engrossed & read the third time tomorrow —

The House according to the order of the day resolved itself into a committee of the whole House on the bill from the Council entitled An act to extend the jurisdiction of justices of the peace" and after some time spent therein Mr Speaker resumed the chair & Mr Regan reported that the committee had according to order the said bill under consideration & had made some progress therein and had directed him to ask for leave to sit again

Resolved that this House will again resolve itself into a committee of the whole House on the said bill —

The House according to the Order of the day again resolved itself into a committee of the whole House on the bill to appoint commissioners to examine and report on the state or situation of certain offices, and after some time spent therein Mr Speaker resumed the chair and Mr Posey reported that the committee had according to order the said bill under consideration and had made some progress therein & had directed him to ask

for leave to sit again —

Resolved that this House will again resolve itself into a committee of the whole House on said bill —

The House according to the order of the day resolved itself into a committee of the whole House on the bill, directing that the next Session of the General Assembly shall be held in the City of Natchez, and after some time spent therein Mr Speaker resumed the chair & Mr. Patton reported that the committee had according to order the said bill under consideration and had made an amendment thereto which he delivered in at the Clerks table where the same was read and concurred in by the House

On motion of Mr. McGaffey

Ordered That the said bill be postponed indefinitely, —

On motion of Mr Shields & seconded Resolved, That until the end of the present Session the daily hour of meeting shall be 9 O'Clock —

And the House then adjourned until

3. O'clock this afternoon —

3. O'clock P.M. Wednesday January 18th

The House proceeded to consider the ~~bill~~ amts reported by the Committee of the whole House ~~to bill entitled~~ An Act to repeal ~~An Act~~ the several Acts and parts of Acts therein named and for other purposes, which said amendments were then read at the Clerks table and on the question put thereon concurred in by the House —

A motion was made by Mr. Rankin and seconded to amend the said bill by striking out the third Section,

A question of order was made by Mr. Shiels, Whether a motion could be made to strike out a section of a bill after the a motion to the same purpose had been negatived in Committee of the whole House and then report concurred in by House

The speaker decided that the bill was open for amendment after report and of course the motion to strike out

way in order

From which decision an appeal was made to the House by Mr. Shultz

And the question being taken, "is the decision of the Speaker correct?"

It was resolved in the Affirmative

The question then recurred on striking out the 3rd section of said bill, and the same being taken

It was determined in the negative

Ordered that the said bill be engrossed and with the ammendments and read the third time tomorrow

The bill regulating Judicial proceedings as relates to judgments and Executions was read the second time, When

A motion was made by Mr Patton & seconded that the said bill be postponed indefinitely

And on the question being taken thereon

It was resolved in the affirmative { yeas 12 nays 11

The yeas and nays being called for by Mr. Downy

Those who voted in the affirmative are,

Mess^rs Baldwin
Hance
Hoggatt
Moore
McKay
McCartney
Patton
Posey
Rankin
Safford
Stuart
Taylor

Those who voted in the negative are,

Mess^rs Burnett (Speaker) Mess^rs Montgomery
Bagley
Chaney
Downs
Grenlefs
Howard
Donnelly
Shultz
Smith
Snodgrass

Mr. Hance gave notice to the House that he would move tomorrow to reconsider the nomination made by this House on the 22^nd ult^o. of persons to compose the Legislative Council of this Territory, and to dispense with the 28^th rule —

A motion was made by Mr. Shultz and seconded that the House do come to the following resolution —

Resolved

Resolved by the Legislative Council & House of Representatives, That, when the two Houses adjourn on Saturday next, they will adjourn sine die —

And on the question being taken thereon

It was determined in the negative —

A motion was made by the Hon. Mr. Hall seconded that the House do come to the following resolution —

Resolved that this House, reconsider their vote of nomination for members to serve in the next Legislative Council, made at this Session, and that the rule in such case be dispensed with —

And on the question being taken thereon —

It was determined in the negative

And the House then adjourned until tomorrow morning 9. O'Clock —

M. S.

# Thursday January 29th

Mr Sasseto presented an account of Edw.
J. Smith, for the 3 tables, furnished this House
at the present Session —

Mr Sasseto also presented an account of
~~Peter Wright~~
~~John Humphry Secretary of the Legislative~~
Council for Stationary furnished ~~that House~~
~~during the present~~ the Legislative Council
during the present Session ——

The s^d accounts were read & Ordered to lie on the table

Mr. Speaker laid before the House a letter
from David Burney, stating consequences
that will follow in case no relief is afforded
to the Debtors and creditors by the Legislature

The said letter was read & Ordered to
lie on the table ——

Mr. Stuart from the Committee appointed
on the 18th instant to furnish the Governor
with the necessary documents to be
transmitted to the President relative to
the nomination of the Legislative Council
Reports that the Committee had —
according

According to order performed that service —

The House according to the Order of the day again resolved itself into a committee of the whole House on the bill from the Council intitled An Act to extend the jurisdiction of justices of the Peace & after some time spent therein Mr Speaker resumed the chair and Mr Chaney reported that the committee had according to Order the said bill again under consideration and had made several several amendments thereto which he delivered in at the Clerks table where the same were read and and on the question put thereon concurred in by the House —

The said bill was further amended at the Clerks table, When,

A motion was made by Mr Hamas & seconded that the said bill be respectfully passed

And on the question being taken thereon

It was declared in the negative

On motion

Ordered that the said bill be read the third time to day six this Inst

Mr. Shultz from the Committee of accounts to whom was referred the reports of the Territorial Treasurer and Auditor of Public Accounts, made a report thereon, which was read and the resolutions reported thereupon were in the words as follows —

Resolved, by the Legislative Council and House of Representatives, that Samuel Prentiss Territorial Treasurer, That they have proceeded to consider and compare the reports and have found that they correspond in relation to the receipts into the Territorial Treasury and disbursements of the public money from the first day of November in the year 1812 until the thirtieth day of September in the year 1813 — Your Committee also examined and compared the warrants drawn by the Auditor of Public Accounts on the Territorial Treasurer and which had been received by this Officer from the first day of November in the year 1812 to the first day of October in the year 1813 and found the same to agree with that part of the Treasurer Report; These warrants have been received by

by your Committee from the Treasurer and are
submitted with the report to the House, to take
such order thereon as to it shall seem proper

In examining the Auditors book with a
reference to the vouchers exhibits, and authority on
which the money expended in his report were
drawn from the Treasury, your Committee dis-
-covered the same to be supported by Allowances
and appropriations previously made and provided
for by law, except one warrant for forty dollars
which was issued in favor of John W. Wane for
printing blank auditors Warrants for the Office
for two years, under the presumption that it was
an expence incident to the Office and that it
would be allowed of course as such; your
Committee considering it as a necessary expence
and incident to the Office recommend an
appropriation to cover the same —

In relation to that part of the Treasurers
report concerning an appropriation of money
for the purchase of Scales, Weights and
Measures your Committee, have observed
from the communication of the Treasurer
that there is but a remote probability of
procuring these standards for a considerable
time, and that the sum appropriated is
not

not near equal to the expenses which it would be incurred to the carrying & transacting the same, on this subject I will [illegible] propose for the consideration of the House the following resolution —

Resolved by the Legislative Council & House of Representatives That Samuel Brook Territorial Treasurer be and he is hereby required and directed to decline contracting for or procuring Scales, Weights & measures at the present time as by law he is authorized and that the money appropriated therefor remain in the Treasury subject to the future disposition of the Legislature" —

The said resolution was read and on the question put thereon concurred in by the House —

On motion of Mr. Shurtz it be ordered,

Resolved That the joint Committee of Accounts be instructed to deface the Auditors Warrants submitted with this report by cutting off the Auditors name, and that the same thereafter be deposited in the Auditors Office —

A Message from the Council by Mr. Hughes
[illegible] that they have agreed to the report of the joint Committee of Accounts — They have passed a bill entitled An Act for the relief of the Tax Collector of the County of Baldwin, Washington and Clarke and adjacent" which was sent to them for concurrence [illegible] Amendments, in which they desire the concurrence of this House

They have passed a bill entitled "An Act to extend the Term of the Superior Court of Wilkinson County, to which they desire the Concurrence of this House — They have passed the bill entitled An Act concerning Juries and for other purposes" sent to them for concurrence — and then [illegible]

And the House then adjourned until 3. Oclock this afternoon

3. Oclock Pol Wednesday Jany. 20th

On motion of Mr. Rankin

the House of the whole House be discharged from the further consideration of the bill from the Council entitled An act to create Judges of Probates and that the same be postponed until the first monday in November next

On motion of Mr Rankin

Ordered that the bill concerning roads and highways be postponed until the first monday in November next —

On motion of Mr. Rankin

Ordered that the Bills from the Council entitled An Act to amend the Revenue Law be postponed until the first monday in November next —

On motion of Mr. Patton

Ordered that the bill confirming the manumition of Edmund a Mulatto boy be postponed indefinitely —

On motion of Mr. Patton

Ordered that the bill allowing compensation to Justices of the Quorum for their services be postponed until indefinitely

Mr Snodgrass from the joint Committee for enrolled bills reported that the Committee had examined the following enrolled bills & resolution to wit

An Act concerning Executors & Administrators & for other purposes ”

An Act Authorizing the Treasurer to pay over certain money to the

the County Treasurers of the several Counties of the [redacted]

A Resolution providing for the purchase of a suitable sword to be presented to Major General Andrew Jackson, — and had passed the same to be truly enrolled — Whereupon Mr Speaker signed the said enrolled bill

Ordered that the Clerk of this House do acquaint the Council therewith —

A Message was received from the Gov.r of Territory by Col.o Stark notifying that the Governor did this day approve and sign the following Acts which originated in this House towit —

An Act to provide for the government of the Town of Cahokia —

An Act for the relief of the several tax collectors of the Territory —

An Act to regulate the several Courts in this Territory and to create a Supreme Court of Errors & Appeals —

Ordered that the Clerk of this House do acquaint the Council therewith —

A Message in writing was received from the Governor of the Territory by Mr [redacted] as followeth [redacted]

Gentlemen of the House of Representatives

I transmit to you a return of the Militia composing the Counties West of Pearl river. The Returns from Madison County and the Counties east of Pearl river have not been received — In the County of Madison there is two Regiments, in each of the other counties there is one regiment

David Holmes

26th January 1814

Another message in writing was received from the Governor of the Territory by Mr. Stark, as followeth —

Gentlemen of the Legislature Council & House of Representatives —

In my communication to both Houses of the Legislature at the commencement of the Session, I presented to you a general view of the measures that had been adopted by the Executive during the recess for the defence of the Country. You were

then [illegible]

I thereby informed of the different corps of
Militia that had been Ordered from this quarter
of the Territory to the assistance of our fellow
citizens on the eastern frontier, whose perilous
situation demanded all the protection that
could by any means within the power of the
government be afforded — It will be evident
to the Legislature from their knowledge
of the condition of the Militia that to equip
troops for the field, to furnish forage transportation and other supplies requisite for a
march of three hundred miles rendered indispensable the expenditure of considerable sums
of money. It is also known to the Legislature
that no provision had been made by the
Territorial Government to meet such expenditures — Under these circumstances I drew
upon the government of the United States for
money to enable me to equip and to send
to the frontier, the force that were Ordered
to be in readiness for actual service —

The imminent danger to which the inhabitants of the County of Madison were exposed, rendered every measure of defence
that could be adopted essential to their
safety — A force from the Militia was

accordingly

accordingly ordered into actual service by the Situation of affairs in that quarter as may known to the Executive & individuals became responsable for the necessary supplies — as soon as I was informed of the danger with which that important portion of our Territory was threatened I ordered the Senior Officer of the militia in the County to call out the whole or any part of the force thereof in his opinion circumstances might require the same, under this authority he has acted and additional expenditures have been of course incurred —

The Justice of the government of the United States whose protection we have a right to claim, I am confident will not permit individuals to suffer who have made advances of money or risked their credit to support the contest in which we are engaged But as disbursements may have been made that are not provided for by law and as to is optional with the

General

Gneral Government to consider the troops that have been Ordered into service upon the establishment of the United States — & also to see to those individuals who have fled to Nagg and their private debts that the Territory should insure them against ultimate loss and that they should secure to those who have rendered personal service in the field a reasonable remuneration in case it should not be received from the United States —

Laid on Table

Town of Washington 20th January 1814

The said message was read and Ordered to be referred to a Committee of three? Hunter, Rankin & Posey —

The House proceed to consider the Amendments of the Council to the bill entitled "An Act concerning the Jail of Adams County" which were then read at the Clerks table and on the Question being taken thereon concurred in by the House —

Ordered that the Clerk of this House do acquaint the Council therewith

An engrossed bill for the relief of certain persons therein named, was read the third time —

Resolved that the said bill do pass and that the title be "An act making appropriations to certain persons therein mentioned" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

And motion was made by Mr. Patton and seconded that the House do reconsider the vote of yesterday given on the question to postpone indefinitely the bill directing that the next Session of the General Assembly should be held in the City of Raleigh —

And the question being taken thereon

There appeared { yeas 11 / nays 11

The Speaker declaring himself with the nays —

J.L.

It was determined in the negative

The yeas and nays being called for by Mr Taylor

Those who voted in the affirmative are

Messrs Baldwin Mr Regan
Hanna Sayford
Hines Snodgrass
Patton Stuart
Posey Taylor
Rankin

Those who voted in the negative are,

Mr Burnett (Speaker) Mr Adams
Balch Montgomery
Chaney McKay
Dawns Runnells
Grubaf Shields
Goggatt Smith

On motion of Mr Shields

Ordered that the resolution submitted by him on the 17th instant be postponed until the first monday of December next

The House according to the order of the day resolved itself into a committee of the whole House on the bill appointing ad-
ditional

ditional Trustees for Green Academy and after same time spent therein the Speaker resumed the chair and the Hon. reported that the Committee had according to order the said bill under consideration and had made an amendment thereto which he delivered in at the Clerk's table where the same was read and on the question put thereon concurred in by the House —

Ordered that the said bill be engrossed with the amendment and read the third time tomorrow —

On motion —

The House again resolved itself into a committee of the whole House on the bill for the further relief of John Bolly and after some time spent therein the Speaker resumed the chair and the House reported that the committee had according to order the said bill again under consideration and had directed him to report the same to the House without amendment —

Ordered that the said bill be engrossed

groped and read the third time tomorrow —

An engrossed resolution requesting our Delegate in Congress to use his exertions to get an extention of the jurisdiction of the Judges of Washington District, and the appointment of another Judge within the same be read the third time —

And on the question that the same do pass —

It was resolved in the affirmative

Ordered that the Clerk of this House do carry the said resolution to the Council and desire their concurrence —

The bill to confine the jurisdiction of The bill from the Council entitled "An Act to extend the jurisdiction of Justices of the Peace" was read the third time with the ammendments — When

On motion of Mr Smith

Ordered that the said bill do lie on the table —

On motion of Mr. Sapford

Ordered that the Committee of the whole House be discharged from the further consideration of the bills to appoint Commissioners to examine and report on the state or situation of certain offices & that the same be referred to a Committee of three Mr. Safford, Posey & Thomas

On motion of Mr Parker

Ordered that the resolution providing for the defence of the Territory & the resolution authorizing the Governor to loan or purchase Arms for the use of the Territory, be severally referred to the Committee to whom was referred the Governors communication ~~[illegible]~~ day to both Houses of the General Assembly —

Mr Snodgrass from the joint Committee for enrolled bills reported that the committee had presented to the Governor of the Territory for his approbation, several enrolled bills & resolutions entitled as follows

An act concerning Executors &

administrators and for other purposes" —

"An Act authorizing the Territorial Treasurer to pay over certain money to the County Treasurer of the several Counties of this Territory" —

A resolution praying for the purchase of a Suitable sword to be presented to Major General Andrew Jackson —

The bill from the Council Entitled "An Act to extend the Terms of the Superior Court of Wilkinson County" was read the first time and Ordered to be read the second time tomorraw —

The bill fixing the price of licences for retailers of Wines & Spirituous liquors was read the second time and Ordered to be referred to a committee of the whole House tomorraw —

And the House then adjourned until tomorraw morning 9 O'Clock —

Friday January 21st

Mr Posey from the joint Committee of Accounts to who were directed by a resolution of yesterday to deface the Warrants issued by the Auditor of Public Accounts — Report that the Committee had according to Order performed that duty by cutting off the Auditors name and have deposited the same in the Auditors Office —

Mr Shuldy from the Committee to whom was referred the Governors communication made to both Houses of the General Assembly on yesterday, and the resolutions proviedy for the defence of the Territory, & to authorize the Governor to loan or purchase Arms — reported a resolution thereupon, which was received & read the first time

On motion the said resolution was read the second time and Ordered to be referred to a Committee of the whole House tomorrow —

The House proceeded to consider the bill

from

from the Council entitled "An Act to extend the jurisdiction of Justices of the Peace" When

a motion was made by Mr. Hand to postpone the said bill until the first monday in November next —

And on the question being taken thereon

It was determined in the negative

A motion was made by Mr Hand & seconded that the said bill be recommitted

And on the question being taken thereon

It was determined in the negative

The question then recurred on the passage of said bill and the same being taken

It was ~~Resolved~~ determined in the affirmative { yeas 13 / nays 9

The yeas and nays being called for by Mr Rumsey
Those who voted in the affirmative are,

Mess^rs Baldwin
Hanna
Huggett
Moore
McKay
Patton
Posey
Rankin
Regan
Saffold
Snodgrass
Stuart
Taylor

Those who voted in the negative are,

Mess^rs Balch
Cheney
Keeney
Trenholm

Mess^rs Hood
Montgomery
Donnelly
Hudd
Smith

Ordered that the Clerk of this House do
acquaint the Council therewith

On motion made and leave given by the
House Mr Hood presented a bill for the
relief of Sheriffs & Constables, which was
received and read the first time —

On motion the said bill was read the
second time and Ordered to be referred to a
Committee of the whole House immediately

The House accordingly resolved itself
into a Committee of the whole House on the
said bill and after some time spent therein
Mr. Speaker resumed the chair and Mr. Patton
reported that the committee had according to
Order the said bill under consideration & had
made several amendments thereto which he
delivered in the Clerk's table where the same
were read and on the question severally put thereon
concurred in by the House —

The said bill was then further amended &

at the Clerks table and ordered to be engrossed with the amendments and read the third time tomorrow

An engrossed bill to appointing additional Trustees for Grammar Academy was read the third time —

Resolved that the said bill do pass and that the title be an act appointing additional Trustees for Grammar Academy —

An engrossed bill for the further relief of John Batty was read and read the third time — when

On motion

Order'd that the question on the passage of said bill be postponed until this afternoon —

The House proceed to consider the bill to extend the powers of Justices of the Peace when —

On motion was made by Mr Rankin & seconded to postpone the said bill until the first day of June next —

And on the question being taken thereon

it was determined in the affirmative { yeas 11 / nays 9

it was determined in the negative

The yeas and nays being called for by Mr Pannell

Those who voted in the affirmative are

Messrs Bateman
Hanna
Keggate
Patton
Posey
Rankin
Leftwich

Messrs Hall
Snodgrass
Stuart
Taylor

Those who voted in the negative are

Messrs Balch
Chany
Crenshaw
Reid
Moore

Messrs Montgomery
McKay
Pannell
Smith

The House proceeded to consider the Amts of the Council to the bill entitled "An act for the relief of the Tax Collector of the Counties of Washington Baldwin, Clark and Madison" which were read at the Clerks table and on the question severally put thereon disagreed to by the House

Ordered that the Clerk of this House do acquaint the Council therewith

Mr Snodgrass from the joint Committee for enrolled bills reported that the Committee had examined the following

worded bill to wit

— An Act concerning Juries and for other purposes — &

"An Act concerning the Sail of cd County" had found the same to be truly worded

Whereupon,

Mr Speaker signed the said worded bill

Ordered that the Clerk of this House do acquaint the Council therewith —

a Message was received from the Governor of the Territory by Mr Clarke notifying that the Governor did this day approve & sign the following Acts to wit —

An Act Authorizing the Territorial Treasurer to pay over certain money to the County Treasurers of the several Counties of this Territory" — And a

Resolution providing for the purchase of a suitable Sword to be presented to Major Andrew Jackson —

Ordered that the Clerk of this House do acquaint the Council therewith

Mr. Sapford from the Committee to whom was referred the bill to appoint Commissioners to examine and report on the state of Education of certain Offices reported an Amended bill thereto which was received & read first time —

On motion

The said bill was read the second time and Ordered to be engrossed and read the third time to day —

The engrossed bill to repeal certain Acts of the General Assembly, and parts of Acts therein named and for other purposes was read the third time

Resolved that the said bill do pass and that the title be An Act to repeal certain Acts of the General Assembly and parts of Acts therein named and for other purposes" —

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

The bill from the Council entitled "An Act to extend the Terms of the Superior Court of Williamson County" was read the [redacted] time

The

the second time and amended —

On motion

Ordered that the said bill be read the third time immediately —

The said bill was accordingly read the third time as amended —

And on the question that the same do pass

It was resolved in the affirmative —

Ordered that the Clerk of this House do acquaint the Council therewith —

On motion made and leave given by the House Mr. Bradgraf presented a bill to establish an additional place of Holding Elections in the County of Albany — which was received & read the first time —

On motion

The said bill was read the second time & Ordered to be engrossed & read the third time to day —

The bill to retain the power & jurisdiction of the County Courts east of Peal river was read the second and amended, and Ord to be engrossed & read the third time to day

A Message from the Council by Mr Hughes their Secretary — Mr Speaker the Council have disagreed to 1st 2nd 3d 4th 5th 6th 9th 11th 13th 15th & 16th ammendments to the Bill intitled an Act to extend the jurisdiction of Justices of the Peace" and have agreed to the 7th 8th 10th 12th 14th & 17th ammendments made to said bill, and the Bill withdrawn —

The House proceeded to consider the said message at the Clerks table, Whereupon

Resolved That this House doth insist on their said 7th 10th 12th & 14th ammts and all debate recede from their 8th and 17th ammendments to the said bill —

Ordered that the Clerk of this House do acquaint the Council therewith —

A Message from the Council by Mr Hughes their Secretary — Mr Speaker the Council have passed the resolution instructing our Delegate in Congress to procure the passage of Law appointing an additional Judge for Washington District to which they send to them for concurrence —

Mr

His Excellency the Governor [illegible]

and [illegible] the accompanying Executive Communication [illegible] Whereupon [illegible] agreed to the resolution of the House Committee [illegible] relative to the Territorial Treasurer and Law passed the bill entitled An Act appropriating additional Funding for Green Academy" & [illegible]

The House resumed the consideration of the bill for the further relief of John Bolls, The yeas & nays received on the passage of said bill.

A Message in writing was received from the Governor of the Territory by Mr Turpin as follows to wit —

Gentlemen of the House of Representatives I transmit to you a report made to me by the Secretary of the Territory containing a Statement of relative to the copies of the laws now remaining in his office

David Hickey
21st Jany. 1814

The said message and report was read

~~and Agreed to Lie on the Table~~

A Message from the Senate by Mr Young their Secretary — Mr Speaker ~~the Senate~~ have agreed to the Amendments proposed by this House to the bill entitled An Act to extend the Term of the Superior Court of Washington County — They insist and the disagreement to the Amendments proposed by this House to the bill entitled An Act to extend the jurisdiction of Justices of the Peace and request a conference on the subject matter thereof and have appointed on their part Mr Ware manager with such manager as may be appointed by this House on the said subject — & then he withdrew

The House resumed the consideration of the bill for the further relief of John Baldy — The question recurred on the passage of the said bill and the same being taken

It was resolved in the affirmative 57 yeas 3 nays

The yeas and nays being called for by Mr Young

Those who voted in the affirmative are

are

Messrs. Balch
Chaney
[illegible]
[illegible]
Montgomery
Patton
Posey

Messrs. Rankin
Rumelly
Regan
Lafferty
Smith
Snodgrass
Stuart

Those who voted in the negative are,

Messrs. Bateman
Hoggatt
Moore

Messrs. McKay
Shultz
Taylor

Resolved that the title be an Act for the further relief of John Balch"—

Ordered that the Clerk of this House do carry the said bill to the Council & desire their Concurrence—

An unpassed bill authorizing the admrs of Jamy Cain deceased to sell the real estate of the said deceased

Resolved that the said bill do pass & that the title be an Act to authorize the admrs of Jamy Cain deceased to sell the real estate of the said deceased—

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence

their concurrence—

A Message from the Council by Mr King his
their Secretary—Mr Speaker The Council insist
on their Amendments to the bill intitled an
Act for the relief of the Poor Electors of
the County of Baltimore, Washington, Clark,
and Madison," and request a conference
on the subject and have appointed Messrs
McCabe and Ware, managers on their part
for the above purpose— The Council have
passed the bill intitled "An Act making ap-
propriations to certain county Levies named
sent to them for concurrence, with amend-
ments in which they desire the concurrence
of this House— I am directed to lay
before this House a certain communication
made by his Excellency the Governor to the
Council and that a conference on the
subject of said communication is requested
The Council have on their part appointed
Messrs. Ware and McCabe to confer with
such Committee as the H. of R may please
to appoint on the said subject— " and
he delivered on the same and then he
withdrew—

On motion

Resolved that Messrs. Rankin, Regan, Hewitt, Hoggatt, & Moore be appointed managers on the part of this House pro tem to attend a Conference with the Council on the subject matter of the disagreeing communication —

On motion

Resolved that Messrs this House doth agree to the conference asked by the Council on the subject matter of the disagreeing vote of the two Houses on the Ammendments to the bill entitled an Act for the relief of the Tax collector of the County of Washington, Clarke & Madison, and appoint Messrs Rankin, Lafloto, & Moore managers at the said conference on their part —

On motion

Resolved That this House doth agree to the conference asked by the Council on the subject matter of the disagreeing vote of the two Houses on the ammendments to the bill entitled an Act to extend two provisions of the Justices of the peace" and appoint Messrs Lucas, Moore, & Rankin managers at the said conference on their part —

Ordered that the Clerk of this House do acquaint the Council thereuith —

A Message from the Council by [redacted] Hughes their Secretary — all Questions the Council have passed the bill intitled an Act to repeal the several Acts & parts of Acts therein mentioned & for other purposes with an Amendment in which And they desire the concurrence of this House

The House proceeded to consider the said Amendment at the Clerks table, and the same being then read and upon the question put thereon concurred in by the House

Ordered that the Clerk of this House do acquaint the Council therewith —

The House according to the Order of the day resolved itself into a Committee of the whole House on the bill for giving the power of leasing for the relief of Wills & Intestacy Estates and after some time spent therein Mr Speaker resumed the chair and the Chairman reported

reps

reported that the Comee had according to order the said bill under consideration & [redacted] to ask for leave to set again

Resolved that this House will again resolve itself into a Committee of the whole House on the said bill

The House proceed to consider the amt of the Council to the bill entitled An Act making appropriations to certain persons therein mentioned, Whereupon,

Resolved, That this House do concur from the 4th Amendment and insist on their 5th 1st 2nd 3d 5th & 6th amendments to said bill ——

Ordered that the Clerk of this House do acquaint the Council therewith ——

an engrossed bill

An Act to relate the powers and jurisdiction of the County Court east of Pearl River, was read the third time ——

Resolved, That the said bill do pass and that the title be An act to to relate the powers & jurisdiction of the County Court east of Pearl River ——

An engrossed bill to appoint Commissioners to examine and report on the State of Education of ~~Ohio~~ this State was read the third time

Resolved that the said bill do pass and that the title be the same to appoint Commissioners to examine & report on the State of Education of certain Offices"

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence

And the House then adjourned until tomorrow morning 9 o'clock

Saturday January 22nd

Mr. Shultz from the joint Committee of enrolled bills reported that the Committee had examined the following enrolled bills, to wit

"An act to extend the Term of the Superior Court of Westmoreland County and Washington County and alter the time of holding Court in the County of Armstrong"

and Clark—

An act to authorize the administrators of Jonny Cain deceased to sell the real estate of the said deceased"—

An act to repeal the several acts & parts of acts therein named and for other purposes"—

"An act to appoint commissioners to examine and report on the state of Education or certain offices"—

"An Act for the further relief of John Batty"—

"An act appointing additional Trustees for Gran Academy"

A resolution providing for the defence of the Territory— &

A resolution instructing our Delegate in Congress to use his exertions to procure the passage of a law appointing an additional Judge in Washington District &c— and Lee found the same to be duly made

Whereupon

Mr Speaker signed the same

Ordered that the Clerk of this House do acquaint the Council therewith—

a Message from the Council by Mr Wright their Secretary — Mr Speaker the Council insist on their amendments to the bill intitled An act making appropriations to certain persons herein named and request a conference on the subject matter and have appointed Messrs Ware and McCall managers to confer with such managers as may be appointed by this House on said subject — The Council have passed the bill intitled An act to appoint Commissioners to examine and report on the state of Education of certain Negroes — Also the bill intitled An act to authorize the Admrs of Jas Cain deceased to sell the real estate of the said deceased —

In motion

Resolved that Messrs Saunders and Rankin be appointed managers on the part of this House to attend the conference asked by the Council on the subject matter of the disagreeing votes of the two Houses on the Amendments to the bill entitled An act making appropriations to certain persons herein named —

Ordered that the Clerk of this House

an account the Council therewith

Mr Brandt from the Committee to whom it was referred to inquire if any, and if any what alterations are necessary to be made in the Laws provisory for the support of the poor — made a report which was read —

Mr Ranken from the manger appointed to attend a conference with the Council on the subject matter of the Governors Communication made yesterday to the Council as in relation to the elective bill, reported certain additions and ammendments to the said bill which were severally read and concurred in by the House —

Mr Ranken from the manger appointed to attend a conference with the Council on the subject matter of the disagreeing votes of the two Houses on the ammendments to the bill intitled "An Act for the relief of the tax Collectors of the Counties of Baltimore Washington Charles and Madison" reported certain modifications thereto — which were severally read & disagreed to by the House —

Resolved that the House desire another conference with the

the Council on the said subject —

Ordered that the Clerk of this House do acquaint the Council therewith —

On motion of Mr Moore Seconded —

Resolved, That the Clerk of this House be instructed and required to furnish the Editors of the Mississippi Republican the Washington Republican, & Madison Gazette each with a copy of the Treasurers and Auditors Reports which were communicated to this House at the commencement of the Present Session together with the report of the Joint Committee of Accounts made to this House on those reports for publication —

On motion of Mr Shields Seconded

Resolved by the House of Representatives of the Mississippi Territory, That our Delegate in Congress be and he is hereby requested to use his utmost exertions during the present Session to procure the passage of a law authorizing the House of Reps. of this Territory at the next Session of the Legislature to nominate eight persons to the President of the United States, from

of whom shall be appointed by him to serve as Commissioners in the General Assembly in addition to the number already appointed by Law —

A Message from the Council by Mr. McCabe Mr Speaker — The Council have agreed to the Amendments and ~~alterations~~ additions submitted by the joint Committee of conference to whom was referred the Governors communication ~~in~~ relation to the Militia bill — The Council have appointed Messrs Ward & McCabe a Committee of conference on the subject matter of said and disagreement to the bill entitled "An act for the relief of the Tax Collectors of the County of Baldwin, Washington, Clarke & Madison" to confer with the managers appointed by this House on the said subject

They have passed the bill entitled "An act for the further relief of John Baily" and have sent for concurrence with which in which they desire the concurrence of this House and then he withdrew —

A Message was received from the Governor of the Territory by Mr. Gilbert, notifying

that

that Governor and this day approve and sign the following Act; which originated in this House to wit —

"An Act concerning the Jail of Adams County"

"An Act concerning Juries and for other purposes" —

Ordered that the Clerk of this House do acquaint the Council therewith —

Mr Shute from the joint Com^e^ of enrolled bills reported that the committee had re examined the enrolled bill intitled "An Act to amend and reduce into one & amend the several statute laws of this Territory" & found the same to be truly enrolled —

Mr Snodgrass from the committee appointed to attend a conference with the Council on the subject matter of the disagreeing votes of the two Houses on the amendments to the bill intitled "An act to extend the jurisdiction of Justices of the Peace" made a report, which was read and considered, Whereupon

Resolved that this House doth agree to said report except that part which relates to the [illegible] Co. of Essex Constabley and such [illegible] County

[illegible] that the Clerk of this House do acquaint

the [illegible]

Resolved that another conference be desired with the Council on the subject matter of said disagreement and that Mess.rs Increase Sayles Regan be appointed managers at the said Conference on the part of this House —

Ordered that the Clerk of this House do acquaint the Council therewith —

Mr. Downs presented a Petition signed by Mr. Isaac Rapalye, & his company lately ordered into actual service — praying that their property may be exempt from execution whilst attending in service of their Country —

The said Petition was read & Ordered to lie on the table —

On motion

Resolved that Mess.rs Increase Sayles & Regan be appointed managers on the part of this House to attend another conference with the Council on the subject matter of the disagreeing votes of

of the two Houses on the Amt to the bill entitled An Act for the relief of the Poor Collecting of the County of Baltimore, Washington Parish and otherwise

Ordered that the Clerk of this House do acquaint the Council thereof

The House proceeded to consider the Amts of the Council to the bill entitled An Act for the further relief of John Bolls, which were twice read at the Clerks table and on the question that the House concurred in by the Council

Ordered that the Clerk of this House do acquaint the Council thereof

An engrossed bill for the relief of Church & Constable, was read the third time

And on the question that the same do pass

It was resolved in the affirmative { 5 yeas 16 / 3 nays 4

The yeas and nays being called for by Mr. Clay

Those

Those who voted in the affirmative are,

Messrs. Bates
Causey
Downey
[illegible]
Hanna
Howe
Montgomery
Patton
Posey
Rankin
Runnells
Regan
Saffold
Shirley
Smith
Snodgrass

Those who voted in the negative are —

Messrs. Doggett
Moore
McKay
Taylor

Resolved that the title be "An Act concerning Executions"

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

On motion made and leave given by the House Mr Moore presented a bill for altering the time of Elections for Delegate to Congress and Members of the General Assembly of this Territory which was received and read the first time —

On motion the said bill was read the second time, when,

C D

Consideration of the Petition—

Ordered that the said bill be postponed until the first monday in December next

A Message from the Council by Mr Hughes their Secretary— Mr Speaker the Council have passed the bill entitled "An Act to retain the powers & jurisdictions of the County Courts of East of Pearl River" with Amendments to which Amendments they desire the concurrence of this House—

The Council have appointed Messrs Hall and Ware, Managers on their part with the Managers appointed by this House on the subject matter of Amendments to the bill entitled "An Act to extend the jurisdiction of Justices of the Peace"— and then withdrew—

An Engrossed resolution providing for the defence of the Territory, was read the third time

And on the question that the same do pass—

It was resolved in the affirmative

Ordered that the Clerk of this House to carry the said Returns to the Council & desire their concurrence —

The House proceeded to consider of the Amendments of the Council to the bill entitled "An Act to retain the powers and jurisdiction of the County Court east of Pearl River" — which were this day read at the Clerks table and on the question first thereon concurred in by the House

Ordered that the Clerk of this House do acquaint the Council therewith —

The House according to the Order of the day again resolved itself into a Committee of the whole House on the bill fixing the price of Licences for retailing of Wines & spirituous liquors and after some time spent therein Mr Speaker resumed the chair & Mr Patton reported that the Committee had according to Order the said bill again under consideration and had made several Ammendments thereto which he delivered in at the Clerks table where the same were severally read & concurred in by the House —

The said bill was further amended at

at the Clerks table and Ordered to be engrossed with the amendment & read the third time to day —

A Message from the Council by Mr Haughey their Secretary — & Speaker — The Council have passed the Resolution providing for the defence of the Territory —

On motion made & leave given by the House Mr Cheney presented a resolution for taking a Census of the U. S. & the sense of the people thereof for and against a State Government — which was received & read the first time,

On motion the said resolution was read the second time and amended — When a motion was made by Mr Regan to postpone the said resolution until the 15th day of July next —

And on the question being taken thereon it was resolved in the Affirmative Ayes 13 Nays 7

The yeas and nays being called for by Mr Cheney —

Those

Those who voted in the affirmative are,

Messrs. Baldwin
Haggett
Montgomery
Patten
Pasco
Rankin
Regan
Sessions
Shields
Smith
Snowgrass
Stewart
Taylor

Those who voted in the negative are

Messrs. Balch
Cheney
Grumbach
Hannah
Hinds
Moore
Mowry

Mr. Speaker from the managers appointed to attend a conference with the council on the subject matter of the disagreeing votes of the two Houses on the amendments to the bill entitled "An Act making appropriations to certain persons therein named" — made a report which was read & agreed to by the House

Ordered that the Clerk of this House do acquaint the Council therewith ——

An Engrossed bill to establish an additional place of holding elections in the County of Ormsby was read the third time —

And

And on the question that the said bill do pass.

Ayes 16

It was resolved in the affirmative

Nays 5

The yeas and nays being called for by Mr Hoggatt

Those who voted in the affirmative are,

Mess^rs Balch
Baldwin
Chaney
Crandall
Hamm
McVay
Patton
Pusey
Rankin
Rumsey
Regan
Sasford
Smith
Snodgrass
Stuart
Taylor

Those who voted in the negative are

Mess^rs Elmore
Hoggatt
Moore
Montgomery
Shultz

Resolved that the title be An act to establish an additional place of Holding Elections in the County of Adams"—

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

And the House then adjourned until
this afternoon 3 o'Clock —

3. o'Clock P.M. Saturday January 22nd

On motion of Mr Dayton

Ordered that Jonathan Powell, Giles Hardin,
Rachel Reed & Walter Irwin, have leave respectively to withdraw their Petitions & documents
presented to this House

Mr. Snodgrass from the managers appointed
to attend a conference with the Council on
the subject matter of the disagreeing votes
of the two Houses on the Amt to the
bill intitled An Act to extend the jurisdiction
of Justices of the Peace" made a report
which was read & concurred in by the
House —

Ordered that the Clerk of this House do
acquaint the Council therewith —

An engrossed bill fixing the price of licenses
for retailing Wines & Spirituous liquors was read
the third time.

Resolved that the said bill do pass & that
the

~~Also~~ be an Act fixing the price of license for retailing ~~of~~ vinous & spirituous liquors"

Ordered that the Clerk of this House do carry the said bill to the Council & desire their concurrence —

~~An motion~~

A Message from the Council by Mr. Atty Gen. Caleb — The Council have passed the bill entitled "An Act to establish an additional place of holding elections in the County of Adams" — They have postponed until the first monday in November next the bill intitled An Act fixing the price of licenses for retailing Spirituous liquors"

I am directed to inform this House that the Governor did this day approve and sign the following Acts —

An Act to reduce into one & amend the several Militia laws of this Territory

An Act to extend the Terms of the Superior Court of Washington County and Washington County and Attorney the time of holding Court in the Counties of Lincoln and Clarke ~~and~~ and then be withdrawn

Mr Snodgrass from the managers appd to attend a conf^ce with the Council on the subject matter of Amt & disagreeing between the two Houses to the bill intitled An Act for the relief of the tax collector of the County of Baldwin, Washington Clark & Madison made a report which was read & concurred in by the House —

Ordered that the Clerk of this House do acquaint the Council therewith —

Mr Snodgrass from the joint committee for enrolled bills reported that the Committee had examined the following enrolled bills —

An Act to relinquish the power and jurisdiction of the County Courts east of Pearl River —

An Act amendatory & appropriations to certain persons therein mentioned "

"An Act to establish an additional place for holding elections in Adams County"

"An Act concerning Executions"

& an Act to exclude the prosecutions of Justices of the Peace

An Act for the relief of the tax collectors of the County of Baldwin, Washington, Clark & Madison

Whereupon Mr Beasley signed the same

Ordered that the Clerk do —

The House proceeded to consider the resolution submitted by Mr Smith on the 15th instant, when

A motion was made by Mr Smith to amend the same by prefacing it with the following words —

"Whereas much time has been spent in drafting and passing ~~Resolutions~~ Petitions and Memorials to Congress and considerable expences to the people of the Territory thereby incurred; and to Petition or memorialize Congress except on subjects of great and evident public importance is believed by many to be no part of the duty of this Legislature "the right of the people peaceably to Assemble and to Petition the Government for a redress of grievances being secured to them in their private and individual capacity by the third amendment to the constitution of the United States Therefore"

And on the question being taken thereon

It was determined in the negative } Messrs Ayes 4
Nays 9

The yeas and nays being called for, by Mr Smith

Those

Those who voted in the affirmative are,

Mess^rs Balch
Kent
Regan
Smith

Those who voted in the negative are

Mess^rs Baldwin
Chaney
Clawson
Grenfell
Hanna
Moore
Mess^rs McVay
Patton
Rankin
Rumbly
Lafferty
Snodgrass

The question was then taken on the passage of said resolution —

And determined in the negative { yeas 3 nays 11

Those yeas and nays being called for by Mess^rs Smith

Those who voted in the affirmative are,

Mess^rs Balch
Regan
Mr Smith

Those who voted in the negative are

Mess^rs Chaney
Clawson
Grenfell
Hanna
Kent
Montgomery
Mess^rs McVay
Patton
Rankin
Rumbly
Lafferty

A Message from the Council by Mr.

Hughes then Secondary elect Speaker the Council
have passed the bill intitled An Act con-
cerning executions with Amendments to which
which and they desire the concurrence of
this Council this House — and then he
withdrew —

The House proceed to consider the
said Amdt at the Clerks table which
was then read & concurred in by the
House —

Ordered that the Clerk of this House
do acquaint the Council therewith

Mr Shute from the Committee of Accounts
to whom it was referred to examine the
Accounts of Members and Officers of this
House for Attendance & Mileage made
a report which was read & concurred in
by the House —

A Message in writing was received from
the Governor of the Territory by Mr Mark
notifying that the Governor did this day
approve & sign the following Act which
originated in this House viz —

An Act to repeal the several Acts, & parts of Acts now in force for the purpose"

"An Act to authorize the administrators of Jonny Cain deceased to sell the real estate of the said deceased"

"An Act to appoint commissioners to examine and report on the state or situation of certain Offices"

An Act for the further relief of debtors

Bills—

"An Act appropriating additional Funds for Grave Yards"

Resolution providing for the defence of the Territory—

Resolution instructing our Delegate in Congress to procure the passage of a law appointing an additional Judge for Washington District ~~relative to Orphans in this House~~

An Act making appropriations to certain persons therein mentioned

An Act to retain the powers of jurisdiction of the County Court, East of Canal Street"

"An Act appointing to establish an additional place of holding elections in Adams County"

An

An act ordinary Executions."

An act for the relief of the Inn Keepers of the County of Washington

Ordered that the Clerk of this House do acquaint the Council

On motion Resolved that a Committee be appointed on the part of this House jointly with such Committee as may be appointed on the part of the Council to wait on the Governor of this Territory & inform him that both Houses have finished the Legislative business before them and are now ready to adjourn —

And a Committee was appointed of Messrs Rankin & Taylor —

A Message from the Council by Mr. McGlee — Mr Speaker — The Council have appointed Messrs McNair & Emmette jointly with the Committee appointed by this House to wait on the Governor of this Territory & inform him that both Houses having completed the

business before them are now ready to adjourn
and then be ~~adjourned~~ ——

I am directed to inform this House
that the Gov^r and Hon^ble Council have agreed to
an Act to extend the jurisdiction of
Justices of the Peace" —— and then be
withdrew ——

Mr Rankin from the Committee appointed
to wait on the Gov^r to inform him
that this House having completed the
business before them are ready to ad-
journ —— reported that the Committee
had waited on his Excellency and performed that
service, and that the Gov^r requested
to inform this House that he had no further
Comm^n to make ——

A Message from the Council by
Mr McCabe — Mr Speaker, The Council
having completed the business before them
are now ready to adjourn —— and then
he withdrew ——

On motion Ordered that a Message
be

to put to the Council to inform

that this House having com-
pleted the business before them are
now ready to adjourn — The Clerk
having gone with said message &
& they returned —

~~The Speaker adjourned the House~~
~~sine die~~

~~On motion~~

Resolved ~~That the~~ Clerk of
this House be and he is hereby requested
to take charge of the books papers &
furniture belonging & belonging to both
Houses of the General Assembly and to
take such measures for the safe
keeping of the same as to him shall
appear necessary —

And the House adjourned
sine die